by Darren Robert Domina

On April 4, 1989, nine NYLS students sent a letter to Professor Donald Zeigler, Chair of the Tenure Committee, protesting the committee's decision not to recommend Professor James Bowen for tenure. These students expressed their concerns over the implications of the committee's determination and their fears for the trend it may be perpetuating at NYLS.

These students, including the President of B.L.U.E., and the President of the Urban Law Project, believe that the trend appears to be "racially motivated" and view the committee's decision as "biased." The students believe that since the mid-1970s, a bias has existed against Black professors, none of whom the committee has recommended for tenure, and add that "it seems all too coincidental that a new Black professor is hired each time a Black professor is denied tenure."

The authors accuse the Tenure Committee's 5-2 decision against Professor Bowen as appearing to be "utterly without merit" and based upon "arbitrary and unsupported criteria." Considering Professor Bowen's accomplishments, the authors were "appalled at the decision." Professor Bowen has taught at NYLS for almost six years, has been published four times, sits on the Academic Status Committee, oversees the administration of the Harris Fellowship, "attends and participates in outside student organization activities," and has received "positive student evaluations."

The students identified what they believed to be the crucial factor influencing the committee's decision: Professor Bowen's scholarly work. Alleging that one outside evaluator's review of the works "smacks of racial bias," was "anything but objective," and failed to coherently evaluate Professor Bowen's writing skills, the students conclude that the committee's consideration and reliance on this evaluation sends out the message that the Black and minority perspective on legal issues is not to be respected and that it discourages minority youth from studying law unless they are willing to sacrifice their own ethnicity.

TENURE CONTROVERSY ESCALATES

At this point the student community remains largely ignorant of this slowly escalating controversy. Signs went up around the school identifying a rally to discuss the issue. On April 10, Dean James Simon, believing that the letter expressed school-wide concerns, responded in a school-wide memorandum. Dean Simon denied the allegations of discrimination and declined to address the Bowen tenure application, stating that the tenure process had not yet been concluded. Dean Simon neglected to mention that the full tenured faculty will have the final determination. In early May, using the Tenure Committee's decision, they will vote to deny or to grant tenure. Dean Simon stated that the students' letter contained inaccuracies and explained that the two previous Black professors that the letter stated were denied tenure, were never considered for tenure.

A controversy without awareness is merely silent, perhaps ineffectual, dead cord. The awareness emerged on April 11 with the organization of an ad hoc rally in the student lounge to discuss the controversy surrounding the committee's decision.

Rally organizers, such as Anthony Mazza, a third-year student who has taken classes taught by Professor Bowen, raised again allegations of discrimination and the uncertainty surrounding the tenure process. The organizers highlighted Professor Bowen's achievements and added their own personal impressions of his consummate professionalism, integrity, and outstanding teaching ability. The organizers explained how one particular scholarly work of Professor Bowen's was so respected and significant that it is currently being implemented by the New York City Department of Social Services for Children. They raised serious concerns about the public interest and minority perspective at NYLS and how the Tenure Committee's decision adversely affects those perspectives.

Students who attended were given copies of a NYLS publication which reprinted an article that had been written by a student who had attended the rally and then, after reading the article, was so appalled by the situation that he changed his mind about the committee's decision.

Inside This Issue:

Darren Domina, Three Articles, Goes up for Tenure
Tripping with Dilip Massand
A "Capital" Odyssey
David Wind All Fired Up—Shoots Off
Make My Day
Vicious Mooters Go All Out
A Town Without Pity
Pictures of the Washington Rally

Plus more petty, bourgeois, and self-indulgent articles that you've come to expect.

1989 Mock Interview Program

Have you ever wondered what questions a legal employer might ask during a job interview, or wondered how to sharpen your interview skills? A simulated hiring interview provides the opportunity to practice your answers to tough interview questions during Placement Office Mock Interview Program. This event is conducted annually and will be held this year between June 26th and July 14th. Registration forms are currently being mailed out to all continuing students.

All interested students need to complete the form by selecting the practice area, work setting, and size of organization that most interests them. Return this form and two resume copies in the postage paid envelope included in the mailing. The Placement Office is assembling lists of attorneys willing to volunteer as interviewers. Each student will be paired with the interviewer that most closely matches his or her interests. Due to feedback from last year's participants, the number of locations is being expanded to include more interviews in legal offices. Each interview lasts twenty minutes, and the student will receive immediate feedback from the interviewer.

The deadline for returning the registration form to the Placement Office is May 15, 1989. If students have any questions or would like to obtain additional registration forms, they may stop by the Placement Office, which is located on the 5th floor of the B building, or they may call 431-2345 and ask for Albert Bassetti.
LLSS CHAIR ENCOURAGES MINORITY TENURE

To the Editor:

Recently, a highly qualified Black professor was denied tenure by the New York Law School Tenure Committee, a committee that has no student representation on it. This committee would have us believe that criteria that are used are sound; in fact, numerous Law Review articles in this nation's prestigious law schools, is not qualified by the staff of the New York Law School. Who are the members of this committee? Tenured professors are the members of the committee. The experience they bring is different from that of non-tenured faculty. Who in the student body, are they? No one is familiar with them. There are many who wouldn't want a minority professor with tenure at NYLS. Discrimination does not stop once you pass through New York Law School's doors.

On April 8, I attended the Northeast Latino Law Students Association's Annual Conference at New York University, and I had the pleasure to meet Prof. Luis DeGraff (Tenured Professor at CUNY Law School) and Manuel Del Valle Esq., both had the opportunity to teach at New York Law School. Both expressed to me the hostile attitude NYLS has towards Blacks and Latinos. They weren't surprised by the denial of tenure to New York Law School's only Black professor.

It seems to be a general practice at NYLS. The school has minimally attempted to recruit tenured minority professors. But why? The answer is simple. The legal profession is a racist profession. Traditional law firms manipulate law schools' policies, and they want little or no minority representation. I feel that a law degree gives you power; power to bring change. Those in privileged positions to analyze and participate. In his views on this topic.

Jose Luis Ortiz Chairperson
Latino Law Students Society

UNJUST ENRICHMENT

To the Editor:

I want to express my remarks by advising you that both my parents had long and successful careers as professors in universities across the United States and in several other countries. I have been impressed with their fine sense of ethics, and their concern for the students, faculty and reputation of New York Law School. In her Administrative Law class this semester, I have been very impressed with her teaching ability. In class, she brings valuable personal experience and knowledge to her subject and often engenders interest and lively debate. I have appreciated her ability to connect current events to the topic.

All too often institutions of post-graduate education become so concerned with the numbers of students that they overlook the quality of their education. New York Law School has far too many professors that, while they may be brilliant in their respective fields, are woefully inadequate teachers! While New York Law School's reputation may be hurt by Professor Marjorie Silver's case, New York Law School would be well served in granting her tenure. It is not to her advantage or that of anyone associated with her.

I am aware that Professor Strossen has received tenure. Although I have never had the pleasure of being in one of her classes, I have heard that she is a terrific teacher. I have enjoyed her participation in various panel discussions and have had the opportunity to speak with her on many topics. Her reputation in the field is impressive. However, she has taught at the New York Law School for approximately two semesters. It appears to this observer that:

1. quick and automatic tenure status was granted to Professor Strossen as part of the "deal" that lured her to New York Law School and therefore...
2. student in-pit is irrelevant or not considered important in deciding who becomes permanent faculty; and
3. granting of tenure at New York Law School is not, to use a term I have learned here, "reasonably related" to the important teaching function of a law school.

New York Law School's reputation and its ability to share our laws with the world is its reputation. No NO professor deserves tenure until she has proven herself at our school with the students. Professor Silver has proven herself for many years and in every way that matters to the students at New York Law School. Professor Silver has earned tenure. Professor Strossen has not.

Sincerely,
Maria Vasquez-Anamal

LET'S LEARN FROM EXPERIENCE

AN OPEN LETTER TO THE TENURED FACULTY OF NYLS

We are New York Law School students from the Graduating Classes of February and June 1989. As such, we not only appreciate the high quality of legal education that we have received, but are very much committed to the NYLS community and to supporting the school as it strives to become the premier urban law school in America. This open letter expresses our view as well as that of most of our classmates. We ask you, therefore, to accept our comments in the knowledge that we are interested in bolstering the NYLS reputation and in contributing to its future successes.

Specifically, we wish to address the current controversy surrounding the tenure applications of Professors Grosberg, Silver and Bowen. We write about each individually.

Prof. Lawrence Grosberg

Each of us has been well taught by Prof. Grosberg. Two of us have even taken every course he has taught during the past four years; and the remainder has studied his Civil Procedure and Complex Federal Litigation with him. We have also benefited individually through Prof. Grosberg's continuous commitment to his students, extracurricular pursuits in Law Review and Moot Court participants and as clerkship applicants.

In traditional courses, such as Civil Procedure and Complex Federal Litigation, Prof. Grosberg is an outstanding teacher. He demands hard work. At the same time, he has the ability to encourage "quieter" students to analyze and participate. In less traditional teaching, such as his administrative Hearing Discrimination Clinic, he is a superb educator and role model. Professor Grosberg's manner sharing quality is his unrelenting emphasis on ethics.

Whether one is a student in a traditional Civil Procedure Method course or is a seminar student or is an intern with the Human Rights Commission, the Grosberg student is constantly reminded of his or her obligations to the Code of Professional Responsibility, to society, to the client, to oneself and to justice. Many of us respect Prof. Grosberg as our mentor.

New York Law School seeks to build its reputation as the premier urban law school by offering a blend of traditional education with unsurpassed clinical opportunities. We and the vast majority of our classmates consider Professor Grosberg to be among the very best of traditional law school teachers and unsurpassed as a clinician. NYLS and its future students need Prof. Lawrence Grosberg. Professors don't come any better than him.

Prof. Silver and Bowen

As we all know, there are few secrets on this campus. In our recent meeting with Dean James Simon, at which we were en- thused to share our concerns with a respected faculty, it was suggested that perhaps the student body learned results of tenure deliberations before the students themselves. Professor Silver alone has proven herself for many years and in every way that matters to the students at New York Law School. Professor Silver has earned tenure. Professor Strossen has not.

Sincerely,
James Simon
by Daren Robert Donina

The current Tenure Committee is made up of the following faculty members: Donald Zeigler, Chair; George Hunt, Michael Botein, Kim Lang, Randolph Shapiro.

The process and criteria used to determine whether the committee will or will not recommend tenure are set out in the Board of Trustees Standards and Procedures for Tenure, Promotion and Reappointment. This publication is not readily accessible to students and most students requesting the manual are discouraged from acquiring it. Only under the pretexts of writing this article was I allowed to acquire a copy.

There are five criteria which are employed to evaluate “the record of the candidate’s performance.”

1. Teaching of high quality.
2. Contribution to legal scholarship.
3. Contribution to the development and improvement of the law school.
4. Service to the profession and the public.
5. Professional integrity.

Dean Simon has stated that contribution through scholarly works is weighed more heavily than the other four criteria but writing of only average quality can be outweighed by outstanding achievement in other areas.

The most controversial and perhaps unclear criterion, and as just stated the most important, is the ability to write scholarly work. There are three main elements to be weighed in the determination of this criterion: “evidence of scholarly ability,” and evidence of “actual productivity.” The first and third elements seem self-explanatory but the second requires an analysis of the following factors:

- substantive knowledge of the subject matter
- analytical skills
- originality and creativity

The first and third evaluators, usually two, have acknowledged experience or expertise in the legal areas upon which the writings are based. These evaluations are weighted heavily in determining whether the seven member committee will or will not recommend tenure. The committee makes a decision and this is presented to the full tenured faculty when it meets for the final decision on whether to grant tenure. Dean Simon’s role is unclear. He seems to have some veto power with which he can override a simple majority of the faculty on its decision to grant tenure. A favorable vote of two-thirds majority cannot be overturned by Dean Simon’s veto. There is no reevaluation, reconsideration or appeal mechanism.

Students are urged to procure a copy of the criteria for themselves and if interested, to delve further into the present dispute. Letters to the Tenure Committee and administration are not discouraged.

The general feeling among students seems to be tenure means “job security.” At the very least students realize that it is “important” but are not quite sure how or why.

Doubts and questions have been raised recently about the possibility of bias and unfairness in the tenure process at NYLS. Many students have expressed a desire for more information about what tenure is and how it works. Though students would like to see the unsavory issues raised over the last few weeks brought into the open and corrected if tenure selection is being conducted discriminatorily, their main concern is quite justifiable, “how will the tenure process affect my legal education?”

Short of actually explaining how tenure selection works, it might be helpful as a starting point to look at what makes NYLS, or any law school, a desirable place to study. The first criterion would have to be attracting a bright student body. After all, some students will excel no matter where they are; they are "naturals." For the vast majority of us who have not been blessed with a "fine legal mind" and must struggle through our courses for three years, a second criterion seems to be at least as important, if not more important than the first—affecting a faculty not merely of legal thinkers and scholars but of educators, who are first and foremost, teachers.

We have all sat through semesters of "brilliant" professors, but for all their education and industry they simply bore you to death because they just don’t know how to teach. In the context of the tenure process this example should be kept clearly in mind.

Scholarly recognition and the emphasis on publication is important, but should it be the primary focus? If Dean Simon and the administration want to build a name for NYLS, attracting distinguished high profile professors with the carrot of tenure, as fodder for the student bulletin seems to be misdirected. What students already enrolled at NYLS are concerned about is what can NYLS do for us today and over the next one or two years to provide professors who will help train lawyers to compete successfully in any area of the legal profession.

Graduates give NYLS a good name; professors help to sweeten the brew.

—The Reporter

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In this, the semester's final issue, it's a good idea to take some time to discuss some of the developments at the paper. As our readership may have noticed, this semester has witnessed a dramatic rebirth of The Reporter. From the obscure leaflet that it was a few months ago, it has soared almost to the point of achieving its lofty goal of becoming the eyes, the ears, the honest voice of NYLS.

Although this revival is far from complete, we believe certain acknowledgments are definitely in order. First of all, we all want to thank our fearless leader, Diane Wolfsom, or, if Duve, (as she is affectionately known to us), whose steadfast character, Napoleonic stature, financial prowess, and anonying persistence got the ball rolling.

 Secondly, we, the rest of the staff, would like to collectively put ourselves on the back for a job well done. After all, without our concerted efforts there would be no paper no matter how annoyingly persistent Diane is. Some among us, though, deserve specific mention. Notably, our talented cartonists Shirley Wong and Lawrence (Larry) Stry whose creativity broke the monopoly between bar review ads and literary diatribes; Dilip Mansand and Yours Truly for providing generous portions of the literary diet; Scott Wiss and Ann Aycock, whose renderings and reporting gave us an insightful clue as to how sick the students and faculty here really are; Bradley Shaw, for always giving us a nice dose of stark reality just when we need it; and Jessica Wahl, whose startle inducing expose in the last issue revealed God knows what since it was so long I doubt anyone finished it. Actually, Jessica is one of the few members of the staff, along with Daren Domen, Jackie George, and Mark Rothfeder, who actually practiced real journalism. The rest of us just pretend.

Finally, we want to say that, apart from an egotistical desire to see our names in print, our purpose behind producing the paper is to serve the NYLS community. This means that we are here for our readers. If there's a problem, we want to know. If we should be doing something, we're not, we want to know. If we shouldn't be doing something we are, we want to know. Of course it doesn't mean we'll stop, but we still want to know. Apathy is what killed the old Reporter. Concern and involvement are what revitalize it. And as is evidenced by the wealth of letters and opinions in this issue alone, the involvement is back. We hope it stays.

Good luck to everyone on finals, congratulations to the Class of '89, and we hope to see everyone else back here in the fall. Healthy, happy, sexually satisfied, and in good academic standing.

Evans Augustin

### Reporter Blows Its Own Horn

Letter From An Editor

by Anne Aycock

**ISSUE**

Why were three highly qualified, working teachers, who are available to both students and well published, denied tenure?

**RULE**

The criteria apparently most important in determining the granting of the tenure candidate are teaching of high quality and contribution to legal scholarship. Our professors must not only know the material, but must also be able to deliver it to their students. They must be published and those scholarly works must be critically evaluated.

**ANALYSIS**

Professors Silver, Grosberg and Bowen are all well liked by their students both as teachers and as people. I had Professor Silver for Civil Procedure, a subject I found extremely difficult. But Professor Silver was extraordinarily well prepared for classes. She can communicate the material. Not only to me, but from what I gather, to a lot of other students as well.

Professor Grosberg teaches a Housing Discrimination Clinic and I have role models for the Clinic in Civil Rights. The Clinic is an amazing experience. Students have the opportunity to interview clients, negotiate settlements, prepare for trials, do things that real lawyers do. Even Dean Simons says the clinic is an important aspect of their education. I asked some of Professor Grosberg's students what they thought of him. In essence they told me that "it's the innovative force behind the Housing Clinic and all have highly recommended taking the course.

Although I don't know Professor Bowen, I have heard many good things about him as a teacher. His bio is equally impressive. It is also my understanding that he is well respected in the field of Family Law.

So, why no tenure? Maybe they can't write. And maybe they can't write, of me, but if they can't write, how have they been able to publish? Maybe they can write very well, and the tenure committee just doesn't like what it is they write about. Maybe they can't teach. Not from what I have heard, and all those times I have been at the New York Law School for six years. Wouldn't someone have figured that out by now and not have renewed their contracts?

Okay, so maybe they can teach and they can write, but there is some other factor I am aware of. I started to say maybe it's racism or sexism or some other ism. But I can't be that, can I? I asked a few students. One woman said, "no way would they deny tenure on the basis of race. How can they even suggest such a thing?" I don't think that's what they said exactly, but the evidence they compiled seemed to make it a possibility. Another student told me, "you just cannot draw conclusions without talking to both sides.

Maybe the tenure committee and Dean Simon had every reason in the world to deny them tenure. "Yes, but suppose they had only one reason, one they wouldn't exactly admit, even if they were aware of what it was? A woman. I know very well told me "it couldn't be racism. Professor Silver is not a member of a minority. Well, a woman's a woman and she's pregnant, replied, didn't that count for something?" "Probably not," she said. "What about Professor Grosberg? He's definitely not a minority. I guess he isn't, she had me there. But he's a clinical teacher and teaches a course on discrimination and the law. Maybe that has something to do with it.

All three professors' areas of expertise are in some way related to public interest law. Professor Grosberg does work on housing. Maybe everyone has got it all wrong. What if the real reason the three professors were denied tenure is that they are women? BIG BUCKS! New York Law School runs a profit. And let's face it, profit or no, New York Law School is not a profit school. Suppose the idea is to eventually have a faculty of superstars. Big time lawyers, with big time reputations, thus advancing our reputation, attracting more students and generating more profit. Simple, it makes sense. Public interest, Civil Liberties, Human Rights, are not hot today. Maybe they will be in 10 years. In light of our last and present administration, maybe the message, if there is one, is not so clear. Or is it. It's good for you, it's good for us, it's good for the economy.

Economics could be part of the problem, but I think it's bigger than that. I think that some people "just don't care. Last time I heard, you had to really talk about the denial of tenure, I got excited. I thought, this is it, something people will get involved in, something they really care about. People will be shouting, they'll argue, we'll get angry, they'll offer money. But maybe it's not. What must I have been thinking? I admit, from somewhere a very nasal voice was heard, and all those times I have been at the New York Law School I have heard, and all those times I have been at the New York Law School I have heard. Lost my senses, law school delusions of something. So I was wrong, as Abby Hoffman said, "we will never be a like 1968." But there can be a feeling like it. An energy like it. We have not yet over come. The issues are still the same. We still have war, poverty, prejudice, add to student: environmental problems that may never be rectified, a nuclear arms build up that could blow the planet up 20 times over, homelessness in our parks and in our doorways. And it makes me sad, frustrat ed, angry.

We in the Law School, but it's not just an opportunity to make $70,000 our first year out. It can be a time to find out what other people think, to express our opinions, make changes in ourselves. Other and the world. I admit it, I am an idealist, I think in possibilities, about what we can do, about what a wonderful world this could be.

**CONCLUSION:**

Law school can be a tense and very stressful experience, it can also be a ter rific experience. A place where we not only learn about how to defend a person's rights, but a place where we will not ignore them. We need more minority faculty members, we need more women faculty members and we need a greater awareness of our moral obligations not only as lawyers but as human beings as well. Exclusion is just unacceptable when you operate from that premise. If there are not enough minorities or women or men out there who are available to further our edu cation, the public interest and individual human rights, maybe we are not looking hard enough and we should double our efforts. If we need to re-evaluate our tenure process, maybe we need to be looking hard enough and we should double our efforts. If we need to re-evaluate our tenure process, maybe we need to be looking hard enough and we should double our efforts. If we need to re-evaluate our tenure process, maybe we need to be looking hard enough and we should double our efforts. If we need to re-evaluate our tenure process, maybe we need to be looking hard enough and we should double our efforts. If we need to re-evaluate our tenure process, maybe we need to be looking hard enough and we should double our efforts.
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Muck-Wrestling

by Dan Muallim

ITEM: THE BERMUDA TRIANGLE OF FEDERAL CLERKSHIPS

It appears that applications go in but never come out, at least, not on time. Several students who successfully completed the selection process for federal judicial clerkships were disappointed recently as their resumes were not sent out to federal judges in time for summer placement. Situation Normal: All Foulled Up.

The selection process was demanding: the personal interviews and written essays were meant to insure that only the best students were presented to federal judges. What we do need is a more systematic approach to turning the pages on the calendar.

Recent elections in that club have been held for an hour on a single day. Ballot slips were the blank backside of a phone message pad. It's questionable that the voters even knew the names of all the candidates for office.

There are many brands of beer to choose from, so we need not serve Coors, a specific beer.

ITEM: THE INTERNATIONAL LAW SOCIETY FORSAKES THE AMERICAN WAY

Free elections, the unfettered expression of the people's voice. It would appear that the ILS has given up on this principle. Recent elections in that club have all the earmarks of a sham. The ballooning was held for an hour on a single day. Ballot slips were the blank backside of a phone message pad. It's questionable that the voters even knew the names of all the candidates for office. A poll tax of $3.00 was levied in the guise of membership dues. Non-members who paid their dues on election day were allowed to vote, while members of long standing were denied their right to vote because their dues were unpaid at that time.

The ILS need not hold elections at all. Its members would probably learn more about international law if a coup were held periodically. However, when elections are held, you should be damn well sure that they are fair, free, and honest. An election conducted otherwise is a mockery of all that we hold dear.

ITEM: BEER BRINGS OUT THE WORST IN US

The SBA throws great parties. Unfortunately not all the students at NYLS come to them. It seems that the serving of beer has something to do with it; not all beer, a specific beer.

The serving of Coors beer is offensive to many members of our law school community. There are many brands of beer to choose from, so we need not serve Coors at our functions. It needlessly separates students from enjoying each other's company in the otherwise friendly atmosphere of the SBA room. A tipple here and there may soothe hurt feelings, but it's a little bit harder at ensuring that all NYLS students are included in the future parties.

ITEM: CLUB BULLETIN BOARDS BRING BACK MEMORIES

I sit in the student lounge gazing at the club bulletin boards which surround me and I remind myself of the first day of class. I see myself, a freshman student amazed at the myriad of clubs and activities that are conducted at our school. The reason I say memories come flooding back is because most of the boards in the student lounge haven't been updated since last September. They herald the coming of events that have long since passed. I value nostalgia as much as anyone, but enough is enough. Clear those things up.

These boards have a purpose. A Kemp board is an expression of pride in the club which it advertises. It can help attract new members as well as inform present members of important upcoming events. We don't have to paste notices all over the school if we used those boards for their intended purpose. The boards in their present state simply foster an atmosphere of "who the hell cares?" Let's take some affirmative action in this area.

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While there's still time.

Summer

by L. Siry

Summer is almost here again. A time for sun, fun and pollution. Smog, garbage, dead fish and hospital waste washing up on shore. If last year was any indication, this summer will be hell on wheels. In many respects we deserve it. After all, what's the point in voting if we choose not to exercise our right to vote? That was my question to the newly elected student government to work a little bit harder at ensuring that all NYLS students are included in the future parties.

The ILS has also given up on this principle. Recent elections in that club have been held for an hour on a single day. Ballot slips were the blank backside of a phone message pad. It's questionable that the voters even knew the names of all the candidates for office. A poll tax of $3.00 was levied in the guise of membership dues. Non-members who paid their dues on election day were allowed to vote, while members of long standing were denied their right to vote because their dues were unpaid at that time.

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So please remember. No matter which bar course you take, you need additional preparation for the rigors of the exam's essay portion. For almost half a century, Marino has been offering students that kind of training.

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While there's still time.

Summer

by L. Siry

Summer is almost here again. A time for sun, fun and pollution. Smog, garbage, dead fish and hospital waste washing up on shore. If last year was any indication, this summer will be hell on wheels. In many respects we deserve it. After all, what's the point in voting if we choose not to exercise our right to vote? That was my question to the newly elected student government to work a little bit harder at ensuring that all NYLS students are included in the future parties.

The ILS has also given up on this principle. Recent elections in that club have been held for an hour on a single day. Ballot slips were the blank backside of a phone message pad. It's questionable that the voters even knew the names of all the candidates for office. A poll tax of $3.00 was levied in the guise of membership dues. Non-members who paid their dues on election day were allowed to vote, while members of long standing were denied their right to vote because their dues were unpaid at that time.

The ILS need not hold elections at all. Its members would probably learn more about international law if a coup were held periodically. However, when elections are held, you should be damn well sure that they are fair, free, and honest. An election conducted otherwise is a mockery of all that we hold dear.

ITEM: CLUB BULLETIN BOARDS BRING BACK MEMORIES

I sit in the student lounge gazing at the club bulletin boards which surround me and I remind myself of the first day of class. I see myself, a freshman student amazed at the myriad of clubs and activities that are conducted at our school. The reason I say memories come flooding back is because most of the boards in the student lounge haven't been updated since last September. They herald the coming of events that have long since passed. I value nostalgia as much as anyone, but enough is enough. Clear those things up.

These boards have a purpose. A Kemp board is an expression of pride in the club which it advertises. It can help attract new members as well as inform present members of important upcoming events. We don't have to paste notices all over the school if we used those boards for their intended purpose. The boards in their present state simply foster an atmosphere of "who the hell cares?" Let's take some affirmative action in this area.
When they came to take away the flowers and the trees, I didn't do anything, because I don't really care for flowers and trees.

When they came to take away the poets and the musicians, I didn't do anything, because I don't mind living in a world without poetry and music.

When they came to take away the children, I didn't do anything, because I don't have children of my own.

I was left to enjoy the sun all by myself.

Then they came to take away the sun. I screamed and hollered. But nobody listened.
The majority opinion has just been rendered.

If you think all computer-assisted legal research services are alike, we recommend you do a little research. We did and found that 3 out of 4 legal researchers have concluded that the LEXIS services renders far superior service on a number of counts.

It offers the most comprehensive legal database in the world.

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560 WEST 43 STREET 212-564-4200
An Assault on Gun Control

by David A. Wind

In New York City during 1988 there were 30,640 reports of firearms used during serious crimes ranging from murder to grand larceny. An influx of drugs and its violence escalates in our society daily. In the political fallout of the drug culture and incidents such as the Stockton schoolyard massacre, groups of anti-gun legislators have flooded Congress with proposals that could be some of the most far-reaching gun controls in our nation's history.

Every city dweller recognizes the need to regulate the sale and distribution of firearms. After all, hardly any of us know anyone who would object to a ban on deadly assault weapons such as AK47's, Israeli UZIs, and M-1 Carabines. Nevertheless, there are a significant amount of people who do object. The difficulty the legislature will face is the fine line of distinction between one weapon and another. After all, the much feared and press-revered Kalashnikov AK47 Russian assault weapon is relatively a pushover compared to the firepower of the recreational hunters' 30 odd 6 rifle. Some sixty percent of this nation's 20 million hunters own weapons that could be considered assault rifles. The National Rifle Association is fighting to accentuate this distinction and fighting for its life, spending millions of lobbying dollars trying to convince members of Congress, and the American public alike, that heavy restrictions on firearms are un-American and ineffective in combating crime.

Firearms is a topic that has become as controversial as any can be. The Congressional Record is filled with name calling and heated debate. Gun owners sport bumper stickers giving away their spouses, dogs, and homes before their guns, and contribute millions of dollars to lobbying efforts to retain their rights. The current debate centers around a recent proposal from Senator Howard Metzenbaum and Representative Peter Stark, which would deal a great blow to gun enthusiasts, collectors, dealers and weekend hunters alike. The proposal in part would require a substantial registration fee for each firearm which is in the designated "assault class," as well as subjecting the owner of the weapons to FBI background checks and fingerprinting. All travel with these weapons would be severely limited.

Most individual states have controls, albeit different ones, already in place. Pennsylvania employs a three-day handgun waiting period, while Maryland has a seven-day waiting period. In Vermont, after you fill out an index size information card, you can purchase a firearm while you fill the car up with gas. In other areas like the District of Columbia and New York City, which accounts for a sixth of the nation's armed robberies, it is virtually impossible to obtain a handgun through the legal channels.

Finally,

As The Century Ends,

A Campus Hair Report

CPS—Clairo, Inc., the Stamford, Conn., company that makes hair products, thoughtfully surveyed the nation's campuses to find what colleagues are doing with the strands of dead proteins they wear on top of their heads.

Six out of ten college women, the company found, have perms. Half of them highlite their hair. In fact, "many" men are taping their hair with highlights, too, the company observed. The men also are wearing their hair short, with no sideburns.

"Big hair is in," the firm added in a release sent to the fashion press. "It is moulded, gelled, scrunchied and spritzed with some regularity. "Long hair generally is worn loose. It's never pulled back anymore."

After all that, they favor covering it with 'white baseball caps or bandanas tied in the back.'
May 1989

By Dilip Massand

Me and a few of the ragamuffins went down to D.C. a few weeks ago. We didn’t really go to march unless anyone’s banner or because our views on this issue compelled us to, we just went to see what it was all about, and to give our sisters, mothers, and lovers some support. We got my dad’s van, loaded it up with all the necessary items for a good road trip, and left New York at 11:30 A.M. on Saturday evening. Actually by then it was Sunday morning, but it could no difference to us all we wanted was to travel under the cover of darkness.

There’s exactly what we did, as we followed the white line all the way down. I had the “midnight shift,” and as the ragamuffins about to give me, the late-night D.J’s, and the peaceful solitude of darkness. They say that’s the best time for thinking; for me it was the best way to clear my head of all the garbage that had been jammed in there from school, life, reality, etc. Just to be moving freely, in solitude and darkness . . . Jack Kerouac would’ve been proud. I gave up the wheel somewhere outside of the Capitol. I just remember seeing a big Cadillac sign and an American flag, and thinking it an appropriately appropriate place to stop.

We rallied by the Washington Monument just before 6 A.M. There was no one around, and a morning mist was hanging over the “battlefield.” We parked the van just across the street from the Monument, and thinking this all too easy, we set out on foot to see what was happening. Not too much, but we noticed that we were the first all-male contingent to arrive, got a pro-choice sign from some people who were setting up, and headed to the Vietnam War Memorial to catch the sunrise.

It was early and we were disoriented, so we wandered around in circles for a while not having too much luck finding it. We finally asked someone for help, and he told us it was close to the Lincoln Memorial. The Lincoln Memorial was easy to see, so we just headed straight to it, and we were the first wave to arrive, so everybody just talked, and made a solid formation. I leaned forward and got a better look . . . My friend’s name is James Russell, the name on the wall was Russell James Heath . . . Somehow it made me feel that for all our arrogance, how little my friends and I knew of the realities of life, the ravages of war, and the inevitability of death. James just looked at me and shook his head.

We sat in a McDonald’s for a while and watched the busloads of people roll into the city. At this point we split up because I wanted to meet some friends from school who were coming down with the A.C.L.U. and my friends wanted to sleep on the grass. So I met my cousin from England (who decided to come to see what the “call democracy”) set out to find the A.C.L.U. building.

We found it but didn’t see anyone. I saw a large quantity of mostly white, affluent looking "liberals," running around in bright white pro-choice T-shirts. It looked like a "Moonies" convention. We walked up to this table where they were charging $3 for brunch. This isn’t a lot of money when you’re looking for your friends so we paid and went in. I didn’t see anyone I knew, so I grabbed a seat (I just wanted to get my money’s worth), and we hit the road. On the way out we saw two people we knew, walked with them for a while, and just when the A.C.L.U. group was gathering its forces, we snuck away . . . One last thing about the A.C.L.U. I’ve done since under facilities, which after the abort-o-sans, were a tremendous relief.

We went back to the Washington Monument and by some tremendous stroke of fate found our companions. Now our little band of ragamuffins was reunited and we went to the grassy hillside watching all the other Indian tribes roll in. That’s exactly what it looked like to me, a meeting of Indian nations. You could literally hear drums banging, see smoke rising, and then you’d see a tall banner in the distance, and a stream of people behind it. The colors were purple, white and yellow, or red, or whatever that particular group had chosen. You just knew that some serious shit was gonna go down that day.

We decided to go back to the van to hang out until the march started. On the way we saw all these people coming down the street with banners and signs, shouting “Pro-Life, Pro-Life.” They were coming right at us, we didn’t want any part of them so we headed back the way we came. All of a sudden some of the pro-abortion people saw the pro-lifers and headed straight for them, We were right in the middle of the two groups as they jostled each other around (and us), and hurtled insults back and forth. It was getting a little hairy until the police came in on the scene and made a solid line between the two groups. Then a band marched in, played some music, got everyone to dance and mellow out. The little flare up was over with no casualties.

The next thing I knew, all these celebrities came down from the right side carrying a big banner, and boom!—the march had started. We were right there in the front, and there was nowhere else to go, so we just went forward. Every few feet the march would stop so that the celebrities could wave to the cameras. My cousin had this scowl on his face, and he said to me, “So that’s what it’s all about, just another publicity stunt . . . I felt like punching him, but instead I said, “how typically British,” and we just marched along.

One thing that struck me while we were marching was how intense the women were. Most of the men around us were just quietly walking along, while the women were shouting, chanting, and punching their fists into the air. At one point someone started shouting, “The women united will never be defeated!” I heard this a few times, but then I realized that they were shouting for the SUPREME COURT TO DECIDE. I do not think the right to an abortion is for the Supreme Court to decide. I don’t believe in this fundamental rights, some of privacy stuff. It seems to me the right to an abortion is an evolutionary right, that should be a natural part of the recognition of their equal, yet extremely unique position in society. Men just don’t have this capacity, therefore forget all that “equal” stuff. And don’t raise that morality argument either, in a culture as morally emancipated as this, morality is a farce. The tough question is whether this should be an absolute right, or if it should have a time limit. I used to think four and a half months would be a good time limit, right in half. After testing this out on a few of my female friends and feeling their fury, I rescind on that position. I just don’t know, and I really can’t figure it is out—yet.

Look people, I don’t have the answers... I just tell you what I saw, and what went on . . . And besides, it doesn’t really matter what I think—the Supreme Court did the right thing in Roe v. Wade, but they did it the wrong way, and now they’re feeling the consequences . . . But I have this piece of advice for those nine people in the ivory tower—if in their infinite foolishness and pompousness, they think they have the TRUE POWER to decide such issues, I have one thing to tell the PEOPLE united will never be defeated!” I heard this a few times, but then I realized that they were shouting for the SUPREME COURT TO DECIDE . . .

It was about two o’clock when we finally reached the capitol. We were among the first wave to arrive, so everybody just turned around and watched the rest of the day. We all thought of all the people being enormous size of the crowd. People just kept coming and coming. For as far as the eye could see the procession stretched back and forth.

Melissa Manchester sang a very strange version of "America the Beautiful" (she changed the words to make them grand and neutral), and then the speeches started. The speeches were mostly hollow rhetoric, but they seemed aimed at simply showing the people for showing their support, rather than make any tremendous declarations. Standing there before the Capitols, I thought of Joshua. In the Bible when he fought the battle of Jericho, he led his people right up to the walls of the city. They had no weapons to fight with so in stead they sang. And whether it was God, or nature, or the earth, someone heard their cries . . . and the walls of Jericho came tumbling down.

By this time we all felt that we had done our part, so while the rest of the march poured in, we turned around and headed for the van. We were the first to come, and the first to go, and we expressed our support with our feet . . .

I don’t think the right to an abortion is for the Supreme Court to decide. I don’t believe in this fundamental rights, some of privacy stuff. It seems to me the right to an abortion is an evolutionary right, that should be a natural part of the recognition of their equal, yet extremely unique position in society. Men just don’t have this capacity, therefore forget all that “equal” stuff. And don’t raise that morality argument either, in a culture as morally emancipated as this, morality is a farce. The tough question is whether this should be an absolute right, or if it should have a time limit. I used to think four and a half months would be a good time limit, right in half. After testing this out on a few of my female friends and feeling their fury, I rescind on that position. I just don’t know, and I really can’t figure it is out—yet.

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Civil Rights

The Newest “Chapter” in NYLS Student Activism

by Albert J. Wollermann

“Student legal-activism is alive and well in New York City.” Such will be the message sent out to the law community if a chapter of the American Civil Liberties Union is formed at New York Law School.

So said Norman Siegel, executive director for the New York Civil Liberties Union (NYCLU) as he spoke to a group of students at NYLS on April 13.

Siegel was invited to address questions and discuss the goals of the ACLU to students who’d expressed an interest in forming a chapter at the school. The ACLU is a nonprofit, nonpartisan, member public interest organization devoted exclusively to protecting the basic civil liberties of Americans.

The NYLS-Civil Liberties Union will be the ACLU’s first and only law school chapter in Manhattan.

Through the school chapter, the ACLU will help students learn about, prepare for and obtain jobs in the public interest field.

“Does it mean giving up Broadway shows for movies?” Siegel asked. “Yes, sometimes. But it really means recognizing that “you” are not the issue. The issue becomes your client and the client’s rights.”

Additionally, NYLS students will be eligible for internships and a limited number of paid positions with the NYCLU. The chapter is currently seeking the assistance of a number of law students to write memorandums and research cases in the ACLU’s fight against increasingly stringent city park regulations.

Sitting cross-legged atop a desk, his tie loosened and jacket hanging open, Siegel, who has worked for the ACLU on and off for about 20 years, spoke very informally for about an hour on the history of the ACLU and its evolving attitude towards advocacy.

“How are we fighting?” Siegel asked. “We’ve typically been known to be observers in the fight.”

“The Vince Lombardi defense approach doesn’t work any more. I want the New York chapter to be fighting (for rights), bringing people together and exciting people.”

NYCLU members, along with a handful of NYLS students, took part in the march on Washington on May 9 in support of Women’s rights and the Roe v. Wade decision which criminalized abortion. It is this kind of advocacy and active participation in the fight for rights that Siegel wants to see increase throughout the ACLU.

“I’m a gadfly,” Siegel said, gesturing with his hands. “And it’s important to be a gadfly. Not only insiders bring about change. "But how?” a student asked. “How can you affect a change if you can’t address the dual party system?” Although not answering directly, Siegel replied, “Where are the politicians out there to excite me? Principled? Bringing people together for change? I hate the Democrats as much as I do the Republicans.”

“Principled people” are the linchpin of Siegel’s plan to organize the ACLU into a “strong and active” rights advocacy group. Neither the potential loss of members nor the public’s perception of what the ACLU fights for is ever a consideration, Siegel said. An example is the ACLU’s defense of the Nazi’s right to march in Skokie, Ill. in 1977. “If it’s the right thing to do legally, then we do it.”

Clearly an opinionated soldier, Siegel says he’s fighting the battle between the “heaves and have-nots,” the power-”less” and the power-“full,” (emphasis his) and trying simply to reach some semblance of fairness.

“We’re fighting for issues of social justice. That’s what the system is all about. I want to eventually see an economic Bill of Rights, a redistribution of the wealth. Sure I’m an advocate. I’m an advocate for equal justice under the law.”

Our role is to make more and more people understand what the real issues are. They aren’t crime and drugs,” he said. “Those are derivations of our society’s problems with race and poverty. Failed government policies are the issue.”

The NYLS-Civil Liberties Union has been meeting informally as a local chapter. Members expect a written constitution and budget to be approved by the Student Bar Association next semester. Notice of the chapter’s meetings will be posted throughout the cafeteria and student lounge.

The NYLS-Civil Liberties Union neither endorses nor condemns all or any of the views espoused by Norman Siegel. According to student members, the school chapter is being formed to help NYLS students remain informed of the ACLU’s projects. The chapter seeks to provide additional opportunities for students to take part, actively, passively and even indifferently, in the ongoing effort to protect individual rights. Apparently, the “ACLU” banner is not the buzzword of NYLS student civil-libertarians.

LEGISLATORS TAKE AIM AT STANDARDIZED TESTS

Press Release

The chairman of the Higher Education Committee in the New York State Senate has taken an important step to protect the rights of students taking the standardized admissions tests given by ETS and the College Board. He has drafted and will introduce legislation that will constitute a Test Takers’ Bill of Rights.

“Tests, such as the SAT, LSAT, GRE and GMAT determine in large measure which schools and careers are open to students. For this reason, it is imperative that the rights of test-takers are safeguarded,” said State Senator Ken LaValle, a Republican from Manhattan, who has also sponsored test reform measures in the past is now reviewing the measure.

John Katzman, the 29-year-old founder and president of Princeton Review, the leading test preparation firm in the country, played a major role in developing the Test Takers’ Bill of Rights. “Every year, my company works closely with over 20,000 students, and I am constantly hearing horror stories about their treatment by ETS. It is clear that no one is watching the watchman.”

The Test Takers’ Bill of Rights will require test companies to:

*provide information in the test registration materials letting students know that there will be an “experimental section” in the test;

*provide at least two test administration annually in which there are no pretest or experimental questions;

*provide students with a summary of the instructions distributed to the proctors so that students know their rights during the administration of the test;

*establish swift due process procedures in cases where cheating is suspected so that if tested for verification, the student’s higher score would be reported; and

*permit students to provide brief written explanations of their scores inconsistent with their academic records; and

*not disclose the score of a student with a systematically misplaced answer sheet.

continued on next page
Did You Know?

by Jackie George

It’s coming to the end of the semester and the finals are approaching!!! That, I am sure you did know. However, there are a few things that you should be aware of before taking exams and before leaving NYLS for the summer. The Student Affairs office has arranged for the following services in order for our reading and examination periods to be as tolerable as possible.

Complimentary Coffee & Tea

Tues, May 9th thru Tues, May 23rd
An hour before each examination.

Student Cafeteria

Mon thru Thurs 8:00am-8:00pm
Fridays 8:00am - 3:00 pm

Standardized Tests (con’t)

Senator LeValle has been a national leader in the effort to curb abusive use of standardized tests and to protect students. He introduced the Original Truth-in-Testing Law that opened the standardized test to public inspection. “I view the Test Takers’ Bill of Rights as a continuation of standardized tests and to protect students.”

Letters of concern to various professors were circulated and This evaluator concluded that the writing floor. In addition, petitions were circulated and This evaluator concluded that the writing floor.

“In Bowen’s opinion, so subjective that you should be aware of before our reading and examination periods to be as tolerable as possible.”

Tenure Controversy (con’t)

Portrayed in 1983 the hiring of Professor Bowen was how the administration viewed his acquisition as a “coup” and its intention to “reach out to more minorities.” In the early years of his appointment, students were urged to write independent letters of concern to various administrators and the Tenure Committee.

Several important questions were raised at the rally, by both its organizers and the audience: Why was a professor with James Bowen’s credentials not recommended for tenure? And, once the Tenure Committee made its determination, isn’t the final faculty vote just procedural? Also, why does the testing industry were competitive, ETS will be shown at the rally and surrounding this controversy was merely an attempt to.

Evaluated two had some “positive impressions of the mind that created” the work, but felt that none of the articles were in whole useful in illuminating the issues that Professor Bowen purports to focus on.

This evaluator concluded that the writing is largely “incoherent” and “often seriously off-base and misleading.” There are every instances where the evaluator disagrees with the premises or interpretations of the arguments and subsequently heavily dislikes the writing, while simultaneously stating that she shares Professor Bowen’s substantive biases. The two evaluators have been with two different sets of criteria in mind.” Professor Bowen’s response was a point.

There has been some criticism directed toward Professor Bowen, but Bowen felt that he had reevaluated Professor Bowen’s writing, side by side with the outside evaluations and Professor Bowen’s response.

When asked about various concerns as expressed at the rally and surrounding this controversy, Dean Simon refused to comment on any issue even remotely relating to the tenure decision, although he did state that the ability to write scholarly works is given great weight by the Tenure Committee.

As a reminder, the full-tenured faculty will vote on whether to grant or deny tenure to Professor Bowen in early May. The Reporter urges concerned students to attend further into this controversy in order to make their own educational decisions, the whys and whometofore of this issue.

Library Hours

April 29-May 22
Sat & Sun 9:00am-10:00pm
Mon-Thur. 8:00am-2:00am
Friday 8:00am-10:00pm

Student Lounge Study Hall

Student Lounge will be available every right as a Study Hall for several hours after the Library closes. This space is for study purposes only. NYLS library personnel will be available to assist you. Students will not be allowed to enter the Study Hall after 10:00 pm. Students who leave the Study Hall will not be allowed to re-enter. The guard on duty cannot make any exceptions to these policies due to security reasons.

Hours:

Apr 29-May 2
Sat & Sun 10pm-7am
Mon-Thur 11pmam
Friday 10pm-7am

Classroom Study Space

Classrooms are available for study group use. Make reservations by contacting Esther Kallman at 431-2000, 57 Worth, mezzanine level. There may be more than one group to a room assigned.

Travel Home Partners

Starting April 29th, there will be a bulletin on the easel in 47 Worth where people can post notes if they want travel partners. Check the board daily if you want to find people to walk to the subways or travel to similar destinations.

Van Exam Experiences

To view a film on taking exams, a video will be shown at the above-scheduled times, contact Helena Prigal at (212) 431-2318.

Examination Numbers

Don’t forget to pick up your examination number before exams!!! ‘A” Bldg-2nd floor

Need to validate your ID?

Go to the Registrar’s Office, 2nd floor of “A” Building at the following times: 

Wed, Thu 9am-6pm

Tues 9am-7:30pm

Fri 9am-5pm

Misplaced your ID?

In order to obtain any of the above services, you will need your ID. If you have misplaced yours, arrange for a new one by the following procedure:

a. Go to the Registrar’s Office for card
b. Go to the acctg office-Pay $10.00 replacement fee.
c. Go to the Copy Center, 1st basement of 57 Worth Street. Photos will be taken as follows:

May 23, 4:30-5:30 6:30pm
May 10, 2-4pm, 5-6pm

Lockers

If you have a lock on a locker, make sure that you remove the lock before you leave after exams. If you don’t remove your lock, it will be cut off so that the lockers can be cleaned and readied for the next semester.

Selling Your Books?

The NYLS Bookstore-Barnes & Noble will take back used books during the last 2 weeks of school at a reduced price. They will have signs posted.

Selling study aids?

In the basement of “C” Building, you can post a safe flyer on your books, study guides, etc. Many students check the boards before purchasing new study guides for the following semester. It is good if you put your phone number down on the bottom a number of times, so that students can call the no. & call you without removing the sign.

The Student Affairs Office will be open throughout the exam period. You may drop by if you need any assistance.
MOOT COURT ASSOCIATION

Jackie George
New York Law School’s Moot Court Association (MCA) is a very active and integral part of the campus atmosphere. You will notice that many competitions are held throughout the year, and many have had the opportunity to hear one of the oral arguments. MCA is a student-run and operated activity with over 50 active members. It is designed to further develop student skills in legal research, writing, and appellate advocacy, as well as to increase the understanding of appellate legal processes.

Students are given the opportunity to participate in intramural moot court competition under the supervision of MCA. From this competition, successful candidates are invited to become members and a further selection is made of three-person teams to represent New York Law School in the Regional and National Moot Court Competition. In addition, the Board sends teams to many intramural and integral parts of the campus atmosphere.

The Brunson McChesney Award for being one of the top four teams in the world was won by the MCA team, the NYLS National Champion.

University of Cincinnati Product Liability National Competition
Lynne Crawford & Susan Quares
Coach: Michael Brevneman
Quarter-Finalists

Gabrielli Family Law Competition
Randolph Janacoe & Ana Bohachevsky
Coach: Sherri Eisenpress
Advisor: Professor Bowen

Jessup International Law Competition
Sandra G. Corbitt, Hassan Fancy, Donna Farmer, Dennis Prahl, & Paschko Vukasaj
Coach: Kannah Menon
Advisor: Professor Chen
The Alona E. Evans Award for Best Memorial
The Brunson McChesney Award for being the United States National Champion

The Award for Being One of the Top Four Teams in the World

Kaufman Securities Law Competition
Michael Gachler & Thomas Litsky
Coach: Tom Rigiland, Alumnus
Advisor: Professor Dent

Marshall-Wythe Invitational National Competition
John Meyers, Tom Agoglia & Michael Brevneman
Coach: Agostinho Ribeiro
Best Brief, Quarvr-Finalist

Albert R. Muger Tax Competition
James Morgan, Tom Hirt & Steve Wislocki
Coach: Valerie Calistri
Advisor: Professor Nathony

National Appellate Advocacy Competition
Lynn Mooyey, Eric Lindenman, Mark Williams & Lisa Shulman
Coach: Dennis Prahl
Advisor: Professor Angioletti

SBA APPOINTMENTS 1989-90

JUDICIAL BOARD
Christine L. Wilson
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Paul J. Ryan
Jackie S. George
Election Committee
Ariudne Krassas
Stephan Gottshalk

The Philip C. Jessup International Law Moot Court Competition

WORLD CUP ROUNDS

The World Cup Rounds were held in Chicago, Illinois from April 3 through April 5 at the Palmer House. At those rounds the New York Law School team, comprised of 3rd year students Sandra G. Corbitt, Hassan Fancy, Donna Farmer and Dennis Prahl, 2nd year students Donna Farmer and Paschko Vukasaj, and their coach, 3rd year student Kannah Menon, the NYLS team won the following honors:

* The Alona E. Evans Award for Best Memorial—second place;
* The Brunson McChesney Award for being the United States National Champion;
* The award for being one of the top four teams in the world.

Approximately thirty-five teams representing twenty-five countries presented oral arguments concerning the Vienna Convention on Diplomatic Relations and the State seizure of assets administered by an international monetary organization. NYLS was one of the twelve teams, from the over 130 law schools which competed in regional Jessup competitions in January, representing the United States. In the preliminary rounds of the competition, NYLS competed against the National University of Taiwan, the National Autonomous University of Mexico, the University of Oregon and the University of Malaysia—Kuala Lumpur. After advancing to the top eight teams of the competition, NYLS argued against the University of Southern Texas and won the United States National Championship. In the semi-finals, the NYLS team argued against the University of British Columbia which went on to win the Jessup World Cup, beating the University of Australia, Melbourne.

SBA APPOINTMENTS 1989-90

Latino Law Students Society

The Latino Law Students Society held elections on April 1. Effective on May 1, 1989, the new officers will be: Chairperson—Jose Luis Ortiz, Vice-Chairperson—Celestina Ortiz-Jefferson, Secretary—Treasurer—Rochelle Roca, Attorney General—Amanda M. Maresco. Our office is located at C-105 for anyone wishing to obtain more information or to join the organization.
By Daren R. Domina

The purpose applies everywhere. Every piece of paper I could accumulate on the tenure issue is on this desk somehow. I've tried to divorce myself from the emotionalism that has been running rampant and tried to emphasize the simple facts. Although we hate to pontificate in a medium such as this, I feel I've got an inside perspective that might be of some interest.

There seem to be three interrelated issues here.

Issue 1: How exactly does the tenure process work?

Issue 2: Why did the Tenure Committee not recommend tenure for Professors Bowen, Silver and Grosberg?

Issue 3: How are students affected by issues 1 and 2?

Hopefully the reader has seen the article describing somewhat how the process works. It is still some confusion. Do outside evaluators receive the tenure criteria or are they just given broad direction? What do the committee's evaluations seem to indicate that two sets of standards were used. Is this fair? Dean Johnson's committee has stated that it doesn't matter because he knows what the criteria are and can judge the most difficult of the committees in mind. That sounds strange to me. In other words, work is sent out to be critiqued and when that work is critiqued by the committee, each member critiques the critique. Isn't the work supposed to be critiqued? Why doesn't that count in the first place? Isn't this wasteful? Wouldn't it be easier and more fair if the evaluation was sent out with the criteria which should the work be evaluated by?

And how much does the committee rely on these evaluations? This is perhaps the most important question. Surely the members must form their work for themselves but what if a recognized "scholar," in a field about which a member is not the most familiar, has a different determination? Wouldn't the committee member naturally defer or at least give great weight to the "scholar's" evaluation? It seems obvious that we see these outside evaluations could significantly affect the committee's decision. It does seem to be one way or another that there is no such important decision because one outside "scholar," disagrees with the premise of the committee's decision. What about the subsequent reviews? Should they be considered at all? Is there any reason for invalidating such evaluations should be provided for and other evaluators chosen. For such an important determination as tenure, this does not seem overly unfair. Perhaps such serious concerns are raised as they have been here, the candidate's entire application should be reevaluated.

And the committee's power to grant or deny tenure. Is this fair? Why is it so hard to get a copy of the tenure criteria? And are they doing something we shouldn't find out about? It is utterly ridiculous if students are concerned enough to want a copy of the criteria, they should be discouraged from getting one. Doesn't it sound strange that only when I communicated my association with the paper that I was "allowed" a copy? Since we are starting to delve into issue 3, let's postpone this and the discussion about having student representation on the committee.

Final observation: what exactly is the purpose of tenure? Why should scholarly writing by the deciding the factor that it can outweigh dedicated commitment to NYLS and excellent teaching ability? It seems to me that there are some individuals who will never be good educators but writing skills can be honed and improve with time and greater "legal maturity." Shouldn't commitment and contributions to NYLS be measured more heavily than they are? After all, it's New York Law School that is or is not granting tenure.

Issue 2: I have no personal knowledge of either Prof. Grosberg or Prof. Silver but I've heard very good things about them. They seem like good educators. I have spoken to Prof. Bowen and found him courteous and professional. Of course, that means nothing about his ability to teach or write. But let us weigh the evidence. Fact: James Bowen has an impressive educational background. Fact: He has been published four times with one or two articles appearing. Fact: One of his works is being used by the NYC Dep. of Social Services for Children. Fact: Prof. E. Donald Shapiro thought his Family Law article was very good. Fact: Prof. Bowen has started two new classes since coming to NYLS in 1983. Fact: Prof. Bowen is highly regarded by his students. Fact: Prof. Bowen, whose acquisition was described by administration as a "coup," is a Black professor with a non-traditional, minority perspective in an urban law school with very few minority professors.

Sounds good but maybe he just can't write. Maybe that Family Law article was an aberration. Or maybe, as I can hear one student yelling, it is all racism motivated. I'm certainly in no position to judge whether Prof. Bowen has scholarly writing ability equal to the expectations of the faculty. But, the problem arises when you read his evaluations. The first is a mixed review with a positive emphasis. It concludes that Prof. Bowen's work is important and indicates a recommendation for tenure. The second evaluation is damning. It seems a narrow-minded, barely veiled attempt to destroy writing which shares a different viewpoint. It seems biased. I thought to myself, shouldn't this person be reviewing more the writing skills? The nine student authors and rally organizers seemed to share such a misconception. Yes, I just typed "misconception." After you've read over the criteria for scholarship, you see that it is the material itself which forms the basis for an evaluation, not just the skills apparent in the writing. The substantive nature of the work is more "on trial" than one would think. Therefore, the second evaluation has slightly more credibility upon a third or fourth reading, keeping in mind the criteria. However, it still seems overly negative and biased and the second evaluator does not support his/her conclusions. What does all this mean? I'm not sure but I don't think the committee decision was racially biased. There is just no real evidence. The problem exists with the second evaluation. It makes students uncomfortable to think that such an evaluation could have such importance in the committee's determination. It is too subjective and narrow-minded. But, as Dean Simon has said, "It just doesn't matter what you think."

Issue 3: Although their hearts were in the right place, the students who initiated this small controversy should have gotten more information and examined more closely their allegations of racial bias. However, there seems one unmistakable fact: something wrong is going on here and we'll probably never know exactly what it is. One can only speculate. How did the students hear about the controversy? Consider the following: Tenure decisions directly affect the quality of teaching in this school. It is aggravating to any student who desires a firm grounding in legal knowledge to students. From a student's viewpoint, isn't it better to have the professor be interested in research? As you soak up legal truisms like a dry sponge and who may only be a fair scholar, than a lousy teacher who teaches poorly, which you may never read, are considered excellent? Perhaps.

I was asked about student input on the committee, Dean Simon evinced the feeling that it was an absurd idea. Consider this. I've graduated law school for the most part are adults. This is law school and students are trained how to reason and analyze, along with a host of other professional skills. Students control the law review across the country and determine what is published. Publications are relied upon by future students and lawyers. Students have real life clients in clinics. It seems strange that the student who is the most part are adults. This is law school and students are trained how to reason and analyze, along with a host of other professional skills.

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Believing Naral to be an Indian philosopher, Sabrina Shroff inadvertently found herself in the pro-choice camp.

Fertile octogenarians for choice

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"Choice to kill."

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Our own Evan Augoustiniatos doing penance for his bar review
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