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The New York Law School ADVOCATE



Vol. 2 No. 1

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October 10, 1983

Rostow Promises Active Role

by John T. Schuler

Dean Eugene Rostow and the students of NYLS finally met face to face on Monday, September 26.

Taking time out from a hectic day of meetings with the faculty and the administration, Rostow talked with a group of about 50 students for half an hour in the student lounge.

He said that because of his busy schedule between now and the end of the year, it simply isn't practical for him to make specific plans until he formally moves into 57 Worth Street.

"I've refrained from all interference unless Dean Simon asks me," he said.

He then mentioned that he has no plans yet to modify or change the curriculum, or to make administrative changes.

Rostow, however, did talk about some issues that are of great interest to NYLS students.

"I know that finding jobs is a concern for you," he said, "and it's one of the first things I'm going to try and address."

He said that although he anticipated that a new Placement Director would be chosen before next semester, working on the placement office would be something he would "pursue . . . very actively indeed."

Rostow said he recognized that the school's space problems must be addressed very quickly.

When asked about the library, Rostow responded, "Of course it's inadequate."



Dean Rostow, in a surprise visit, meets with NYLS students in the new student lounge last Monday. Among those pictured above are, from left to right, Tim Collins, Miriam Lopez, Amy Genthner and Kathy Golden Dussault, the new Division Delegate of the Law Student Division of ABA, on the far right.

quate." That comment drew understanding applause from the audience. He went on to say that the library needed to be consolidated.

In response to another question, Rostow said that he fully intended to be a full-time Dean. He said that law school is really his "natural habitat" and he would therefore take an active interest in the school on a day-to-day basis.

He noted that this would not stop him from speaking out in his areas of expertise, foreign affairs and international law.

Rostow may be teaching Constitutional Law and he wants to continue seminar he developed at Yale Law School on the international use of force.

"An interest in foreign affairs, once contracted, is incurable," he joked.

He went on to say that he planned to continue meetings similar to this one in the future as a way of staying in touch with the students.

Rostow also spoke of many of his more philosophical ideas about the school.

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Election Stirs Controversy

by John T. Schuler

Student Bar Association elections for Senators were held last month, and although the new Senators are in place and working, there is growing controversy about the election.

No elections were held in four class sections. According to SBA Vice-President and Election Commissioner Tom Bryan, because no one in those sections put forward a petition for candidacy, no seats were allocated for them.

Yet some members of those sections claim that the deadline for filing petitions was inadequately publicized. As a result, they say they did not have a fair opportunity to run.

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Chairman Opposes Student Trustees

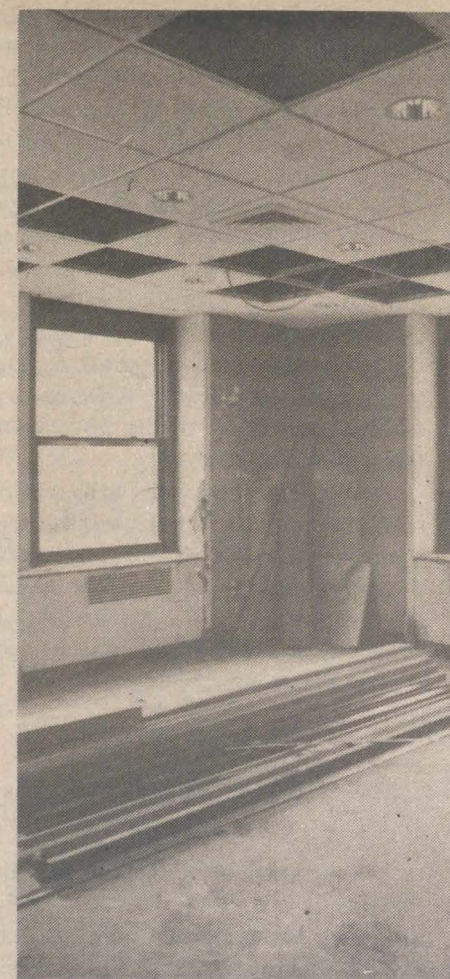
by Paul A. Friedman

The Board of Trustees is rarely seen or heard from by the student body even though its role in the operation of NYLS is so powerful. This has been, in part, due to the Board's time constraints and its reluctance to get directly involved with the students and their day-to-day affairs. However, the student must also take some responsibility. Few attempts have been made to breach this communication gap.

In response to this need, the *Advocate* presents the first of a two-part interview with the Chairman of the Board of Trustees, John V. Thornton. Thornton, who serves on the boards of Pace University and Dickenson College and was a professor of law for many years, is the Senior Executive Vice President of Consolidated Edison Co., Inc.

This is the first in a series of interviews with members of the Board of Trustees. However, we remind our readers that no individual Board member is necessarily speaking for the entire Board when he or she expresses an opinion.

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NYLS In Transition: Asst. Dean Anthony Scanlon's new office just a few weeks ago is an example of what much of NYLS has gone through over the past few months.

Inside:

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NEWS BRIEFS

Student Fee Proposal

The Student Bar Association's student fee proposal, which would require all full-time day students to pay \$3.00 and all part-time and evening students to pay \$2.50 per semester, is facing its most severe test.

Although the fee was passed by a majority of students who voted at last year's executive board election, the administration did not accept that result. This was surprising to many senators who had expected the vote to be final.

As a result of the administration's decision, and continued protests by the Executive Board of the SBA, it was agreed that petitions would be passed to prove student support.

As it now stands, the SBA has collected some 600 signatures. However, the administration has placed a minimum required figure of two-thirds of the student body on the compromise.

If the SBA can collect the needed signatures (approximately 1000) in the short time left, the administration will be expected to pass the proposal to the Board of Trustees with its recommendation.

Student Trustees

An ad-hoc student committee presented a resolution to the SBA at their second meeting of the semester, October 7. The resolution was directed at placing two student representatives on the Board of Trustees. The resolution proposed that the two representatives be chosen by the student body and have voting rights with the Board.

Although no specific proposal was offered for selecting the students, committee members seemed more concerned with earning the support of the SBA for the thrust of their resolution.

At press time the decision by the SBA had yet to be made. If the expected support does come from the SBA, a source within the committee has indicated that the next step would be to seek a broad consensus of faculty and administration and student support before approaching the Board.

Self-Studies

In preparation for the American Bar Association evaluation of NYLS, which took place last week, both the faculty and the students prepared self-study reports.

These reports are designed to give the ABA's Evaluation Committee an idea of how the school community views itself.

The Faculty Self-Study Committee is made up of the Chairmen of each of the faculty committees, as well as Associate Dean for Academic Affairs Edward Samu-

els. Samuels is the Chairman of the Committee.

As of press time, neither Dean Samuels nor Dean Pro-Tem James Simon had announced whether the faculty report would be released to the school community.

The student committee's members are Chairman Harry Weinberg, SBA Representative to the Law Student Division of the ABA; SBA President Cornell Edmonds; Lou Spinelli of the National Lawyers Guild; Deanna Rodriguez, Chairwoman of BALLSA; and Louise Zito, President of L.A.W.

The committee members were appointed by SBA President Cornell Edmonds.

Originally the student report was to be included in the faculty report. But according to committee Chairman Harry Weinberg, time limitations prevented this. The committee then decided to write its own report and submit it to the ABA independently.

According to Weinberg, the committee wasn't able to reach a wide range of student opinion because of the time constraints.

"We hope to use this as a starting point, and we would like a more wide-ranging study in the future," Weinberg said.

Copies of the student report will be made available to all students when it is published, Weinberg said.

Dussault Elected Rep

Kathy Golden Dussault, '84, was recently elected Division Delegate of the



Pictured above, from left to right, are Attorneys Susan Tipograph, Chokwe Lumumba and Judith Holmes. These legal advisors to members of the New Afrikan Republic were invited to speak at NYLS by both the National Lawyers Guild and the Black and Latino Law Students Association. The three attorneys spoke about the historical oppression of blacks in America and the need for a black homeland within the United States. Lumumba, the Minister of Justice of the provisional government of this homeland, justified the right to establish this new country, with violence if necessary, on the 13th and 14th Amendments to the Constitution and Resolution 2621 of the United Nations General Assembly. On Friday, October 7, three members of the Black Liberation Army who were advised by Holmes were sent to jail and given 75 year sentences for their parts in the Brink's Robbery in upstate New York. They had justified their killings in that robbery on their political beliefs.

Law Student Division of the American Bar Association.

Two delegates are elected each year at the ABA Annual Meeting by a national assembly of LSD Representatives and SBA Presidents. Dussault will be responsible for presenting the views of the 42,000 members of the Law Student Division to the ABA House of Delegates.

Kathy is one of the two law students in the country who can vote in the ABA House of Delegates.

Organization Day

Student Organization Day will be held on Wednesday, October 12, between 3 and 7 p.m.

Students interested in the various organizations are invited to come and ask questions and get involved.

The student organizations are now located in the offices off the student lounge in 47 Worth Street.

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Panelists Divided On DES

by Adrian Calderone

On Saturday, September 24, the New York Law School Legal Association for Women (L.A.W.) held its symposium, "Women in the Law Today." The symposium included workshops on such topics as drug product litigation, family law, Title VII and related statutes, the problems of lawyers as parents, and "networking" for women in the law. The workshops dealt with women's legal issues as well as general legal issues.

The drug product litigation workshop dealt with cancer induced by DES (diethylstilbestrol), which is a synthetic hormone given to women years ago in order to prevent difficulties in pregnancies. It was found to be a potent carcinogen which is causing cancer some twenty years later in the female children of those mothers who took DES.

Panelists, who are practicing attorneys, presented both the views of plaintiffs and defendant drug companies. The biggest problem with this type of litigation is establishing causation because plaintiffs often cannot prove exactly who manufactured the particular pills taken by the mother. Several drug companies manufactured DES and there are usually no records so specific as to reveal which company's pills the pharmacist sold to a customer. Panelists discussed different jurisdictional approaches to this problem and some of the

case law available.

Another problem is the statute of limitations. New York is one state which does not have a discovery statute, i.e., the statutory time period starts to run when the drug is ingested, not when the harm is discovered. The statute of limitations should start to run when all the elements of a cause of action are in place. But defining this point in time is a special problem when the harm is caused by carcinogens which have a latency period of ten or twenty years.

The issue dividing the panelists was whether the drug companies knew or should have known that DES was harmful. Panelist Jeanne Taylor, representing the drug companies, argued that they could not have known at that time that DES was harmful. Panelist Arthur Miltz, a plaintiff's attorney, didn't consider the drug companies or the doctors who prescribed DES to be acting with bad intentions, but he took a pragmatic approach in deciding whether plaintiffs could summon enough proof as to what the drug companies knew. Panelist Sybil Shainwald, a NYLS graduate who is actively engaged in the Women's Health Network, opposed the drug companies. As she put it, "They banned DES from use in chicken feed, but it was okay to give to women."

Many women who attended the symposium found the workshops on network-



N.Y. Civil Court Judge, Kristin Glen, speaking at the L.A.W. symposium: Women and the Law Today.

ing for women and parenting problems of lawyers valuable. Most considered the workshops to be practical and interesting.

The highlight of the symposium was the keynote address delivered by Judge Kristin Glen. Judge Glen briefly taught at NYLS in 1980 before being elected Civil Court Judge. The focus of her discussion was the division of American society into the "public world" of careers in business, politics, etc., which is the province of men; and the "private world" of home and hearth which is reserved for women. Her overall objective is to break down the barriers between these two worlds so that more women could participate in careers outside the home, and give men more opportunities to participate in family life.

She believes that gender differences, other than purely biological ones, are socially created. Also, she believes that advances made in this society concerning women's rights are the result of the active intervention by women, rather than by some evolutionary process. These changes are not merely cosmetic. Nevertheless,

she emphasized that women could lose these rights unless they continue to fight for them. Accordingly, her conclusion is that it is not enough for women to achieve positions of power. They must adopt a feminist attitude as well.

Her speech was point by point in contrast with the conservative, family-oriented values of traditionalists. Many men attending opposed Judge Glen's feminist ideology. Nevertheless, they were impressed with her speech and felt that it needed to be expressed.

Part II of the symposium, entitled "Women in the Law Tomorrow," will be on March 3, 1984. Topics for the spring symposium will include areas of the law in which women are just breaking through into higher positions, such as the judiciary, government, and maritime law. Ms. Zito emphasized that the activities of L.A.W. are open to all students. For further information, interested students should feel welcome to visit the new L.A.W. office in Room 106A, off the student lounge.

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Thornton Interview

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QUESTION: What are your duties as Chairman of the Board of Trustees?

ANSWER: As you know, as with any educational institution, the final authority, in a legal sense, reposes in a board of trustees or a board of directors.

The Board's fundamental job is to develop fundamental policies of the law school which includes, obviously, approving a budget. The Dean recommends a budget and then I go over it with the Dean. Then the budget is presented to a Board committee and they present it to the Board.

It is our responsibility to keep the institution on a sound financial footing and to plan for the future. Such planning includes looking to projections as to student body revenues from student body fees, the question of adequacy of the physical facilities and so on.

Q: In regard to student body fees, are you in favor of the one presently being promulgated by the SBA?

A: Well, I'd like to reserve my own judgment on that until it comes up from the Dean, until the Dean makes a recommendation on the subject.

In years gone by, when we did have such a system, there was considerable student argument on the other side. Namely, that they did not wish to support, or be compelled to support, functions that they didn't necessarily think were essential or that maybe they didn't even agree with.

However, I have an open mind on the question.

Q: Evening students have evidenced an indifference or opposition to the fee because of their general inability to take part in student activities. Has this ever been addressed by the Board and do you have any suggestions as to how the evening students could be included in student activities?

A: Well, it's a perennial problem and I'm not sure there's an adequate solution to it. . . . So, yes, we have looked into it; no, we have never found an adequate solution.

Q: Would you support setting aside a block of time each week in which there were no classes so that all students could meet?

A: Well, I haven't thought about it.

But certainly, in principle, if that could be done . . . within the need for scheduling classes.

Q: How do you perceive Dean Rostow's role at the school?

A: He has advised me that he intends to be intimately involved with the entire life of the law school and, in every sense, a full-time dean of the law school. Now, that doesn't include things like fundraising and relations with external constituencies.

Q: What do you see as the students' role in the law school? Should they be sitting on all the administrative committees of the school, for instance?

A: Fundamentally, in my judgment, students are in law school . . . to learn. In my experience, law school, to be done right, is an enormously demanding job for

any student. And, as such, they ought to be focusing on issues as to the administration of the school only to the extent that they see a problem that's somehow impeding on their education or their social life or some interest they have in school.

For instance, I think students ought to be involved in any building plan developments.

Q: Moving on, should firms that discriminate in their hiring practices—be they private, governmental, or part of the military—be allowed to recruit students at the school?

A: I guess I would be slow to overrule the recruiting judgment of a governmental (or military) organization that would be acting in accordance with the law. I would be reluctant to ban them from campus.

Q: As a policy decision, though, doesn't the spirit of the law in this country—a clear path away from discrimination—rate as highly as the letter of the law?

A: Well, I guess maybe after many years at the bar I am very chary of imposing my personal ethical standards in a given situation. I'm more inclined to look at compliance with the law.

Maybe I don't believe in nuclear war, but does that mean I wouldn't let the Armed Forces recruit lawyers to advise on defenses or operate in the office of the Department of Defense?

Q: Would a strong statement from the student body that they were opposed to this policy have an effect on your view?

A: I think there's no question that in those gray areas we ought to have input from everybody and, so far as possible, we ought to be operating within a consensus. But, by the same token, there are some tyrannies of the majority as well; that's why we have a constitution.

I feel fairly content with obeying the law and, I guess, I feel less sure every day that I'm able to say what's right beyond what the law says.

Q: There is a feeling in the school that a better relationship, a more educational relationship could be obtained between the students and the trustees if students were allowed to sit in on Board meetings.

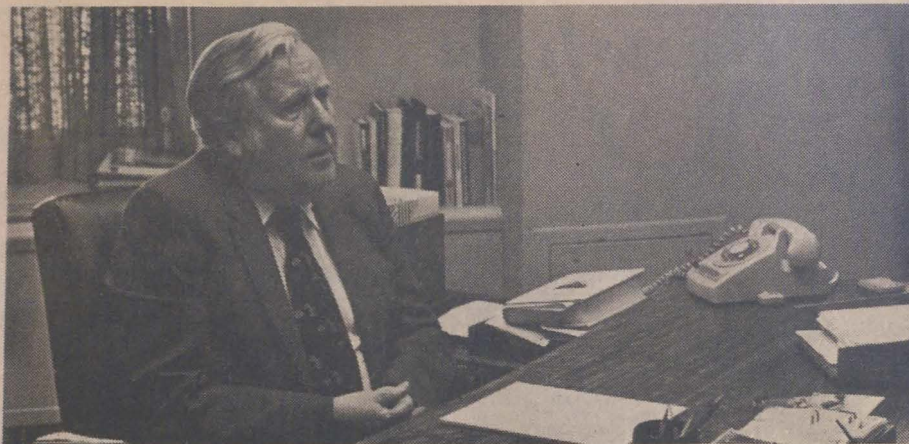
What are your feelings about allowing either student representatives or reporters to observe Trustee meetings?

A: I guess, and maybe this is a certain cynicism, I guess I would say I am not optimistic that there can be much direct interplay between Trustees and students—not because of any feeling on the part of either that it would not be good or that there's any animus of one towards the other; there isn't any.

In my experience, the best way to have student input is to have an alert administration. It is their function to bring student concerns to the attention of the Trustees in an unbiased way.

I think where you've got a given big problem (exceptions can be and have been made), but, I doubt if there's terribly much that can be gained by a continuing, on-going activity.

Many of the things, at least, the Trustees are involved in are really very cut and dry kinds of things that students are probably not interested in or probably don't have the time to lend much input to.



John V. Thornton, Chairman of the Board of Trustees of NYLS, discussing student concerns.

Q: Could you give some examples of these?

A: Well, for example, the budget. I think the budget is a matter that Trustees really should focus on. Certainly, the students can have input on matters that relate to the budget. But, I think those inputs are, realistically, better presented to faculty people and to the Dean who are or should be operating on those problems day by day.

And, input on that level, I think, is much more productive than for students to try and focus at the trustee level where, in a sense, all the damage is done by the time many things reach the Board of Trustees.

Q: Leaving the input part of that question aside, is there a reason why a reporter could not sit in on Trustee meetings?

A: Well, it would be a Board decision as to whether to allow that. I would personally

be opposed to it, frankly. I am not one who believes that things are necessarily better decided or considered when they're fully open to public view. It is not a practice with many governmental bodies and it's probably one of the reasons why government decision-making is so stilted in recent years.

In my experience, government in the sunshine is vastly overdone. It tends to inhibit discussion. It tends to lead to posturing.

Here again, it seems to me that students are entitled to be informed as to what goes on and entitled to have their thoughts into the process; but, I don't think that students out to be sitting in on Board of Trustees meetings nor do I think that faculty ought to be sitting in on Board of Trustees meetings.

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Rostow Visit

(continued from page 1)

"I think it [the school] is going in a good, strong, direction," he said.

"I want to help in that process because I think it's a part of an extremely important movement in American intellectual life, which is a return to demanding and disciplined intellectual standards," he said.

"I think it's time for a return of self-confidence, and a return and mobilization of American energy and optimism," he continued, "and I think NYLS is in a position to participate in that."

"There has always been a tension between the intellectual part of law and the strictly narrowly-professional part of law," he said.

Rostow emphasized his opinion that "the most practical kind of legal training is the most philosophical and intellectual."

He said if lawyers don't understand the social and moral forces at work in society, then they won't be prepared to handle the transformation of the law over their lifetimes.

"That's the kind of preoccupation I seek with our clinical work, as well as our classroom work, and that's the kind of course you can expect when I get here," he said.

CLASSIFIEDS

Happy Canadian Thanksgiving to one and all! May your turkeys all be born with ice skates so they can beat the Islanders!

Dan Greenberg

Son of Law Review

The 1984 Law Revue will be back this spring, presenting hilarious hokum, in a playfully enjoyable presentation.

Last year's show, *Farewell Donny* was a smash hit with ten musical numbers and a cast of 35. Popular professors such as Cyril Means, Joseph Koffler and the ineloquent Dean E. Donald Shapiro were parodied.

This year's show promises to be even better. Last year, the show generated an inordinate amount of enthusiasm and the record crowd enabled the S.B.A. to come out with a small profit for the first time.

Writing and auditions for the show won't take place until later this semester, with actual rehearsal next semester. Early plans are for one performance on a Friday night in early April.

We would like to take this opportunity to invite the first-year students to participate in this year's fun. Of course we welcome the participation of all returning students, administration and faculty, as we prepare for the comical highlight of the year, the 1984 Law Revue.

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EDITORIALS

Report Stonewalled?

By the time this edition of the *Advocate* comes out, the American Bar Association Evaluation Committee will have come and gone. No one expects anything particularly startling to come out of this event. But there will be several by-products of greater significance to the school: a Faculty Self-Study Report and a Student Self-Study Report.

Both reports are submitted to the ABA Committee. Both reports attempt to self-critically look at the school's strengths and weaknesses and to analyze where the school has been and where it is going.

The ABA report is an objective view of NYLS. The self-study reports are perceptions from the inside, from those of us who essentially are the school.

In order to understand where we are as a school, and to talk about how to get to where we want to be, these documents are important starting points.

There's only one problem. Dean Pro-Tem James F. Simon and Dean Edward Samuels, chairperson of the Faculty Self-Study Committee, have given no indication that they intend to release the Faculty report to students. In spite of the fact that Simon and Samuels did agree to let student organization heads see it, they specifically included a caveat against publishing directly from the report.

There is a broader issue here than whether or not this newspaper can reprint sections from the report. That issue is whether or not this administration wants to foster a feeling of frankness and candor within the school. Sending copies of the report to each and every student or, at least, placing them on reserve in the library for all to examine would be a gesture in the right direction.

Stonewalling this report would only serve to increase the distance that already exists between the students and their school.

Indeed, there is little in it that could come as a surprise to the students. There are no salaries listed or other so-called pieces of confidential information in the report. Little harm could come from releasing it, and a great deal of harm could result from withholding it.

The Faculty Self-Study Report must be released to the students. If it isn't, then there is little point in it ever having been written. If the students don't understand the faculty's point of view, then there can be no basis for a mutual dialogue about the school and the challenges confronting it.

It is time for the faculty and the administration to acknowledge that the students are equal participants in the school, not simply tuition checks or bodies to fill classroom seats.

Plea For Student Fee

The SBA Executive Board has placed at the top of its agenda the successful approval of a student fee by the administration.

Originally proposed in the fall of '82 by then Senator Drew Britcher, the proposal will have every full-time day student contribute \$3.00 per semester and every part-time or evening student will supply \$2.50 per semester. Further, it contains a unique clause that would allow students to reclaim their investment if they were strongly opposed to contributing.

Opposition, in the past, has ranged from economic necessity to a dislike of the kinds of groups that the SBA funds. However, this clause would go a long way towards countering that opposition.

Presently, the only funding available to the SBA is provided by a percentage of Gil's receipts from his food and book stores. The average yearly total for the SBA is approximately \$4,500.

The simple fact is this is just not enough money.

Demand by organizations already established has already far outstripped the SBA's resources leaving them with nothing with which to be creative. Indeed, the possibilities for enhancing student life exist but they need money to become realities.

Besides the fact that established clubs like BALLSA (Black and Latino Law Student Association), L.A.W. (Legal Association of Women), and the Media Law Project could finally have the opportunity to offer inventive programming, new organizations could afford to spring up and meet the needs of students who have been dissatisfied with what's been offered. Moreover, the SBA itself could become an active member of the school in terms of programming and services.

Expanded computer usage, typing rooms, the creation of a darkroom for avid photographers and the newspapers, more vending machines, and the addition of plants and perhaps a jukebox in our new student lounge are just some of the ideas that come to mind. As the ability to afford these ideas increases, so will the ideas.

Many students complain that NYLS lacks some of the finer things found at other law schools. Yet, we could have a better academic and social environment if we only made the effort.

The administration is not yet convinced that the student body really wants this fee enacted. Although the SBA has garnered over 600 signatures, the administration won't be satisfied until they reach the 1,000 mark.

Help ensure its success, contact your senator and add your name to the petition today.

OPINIONS

Tragedy Should Awaken the World

by Phillip C. Essig

The downing of Korean Air Lines flight 007 on September 1 by a Soviet SU-15 has captured the attention of the world and the disbelief and moral indignation of many. The Senate and the House unanimously condemned it as "one of the most infamous and reprehensible acts in history." President Reagan's statements on the incident have been uniformly harsh in judgment of the Soviets.

Other than strong rhetoric and a few symbolic acts (largely restricted to civil aviation privileges), the Soviets appear to be emerging from the incident unscathed. This is said neither to denigrate the value of world opinion nor to belittle the moral significance of the statements made by our leaders. However, the truth remains; no sanctions were imposed that will have any real effect on the future behavior of the Soviets.

What can be gathered from the morass of comment on the topic is that everyone is able to make a moral judgment, and many are similarly ready to place the blame. Placing the moral blame, however, falls short.

The stumbling block, as Richard Nixon so acutely realized some ten years ago, is that blame and responsibility are not the same and one can often be bridled with the first and escape the burden of the second (or, as in Nixon's case, vice versa).

This should not come as a revelation to those of us who are involved on a daily basis in appraising the lawfulness of certain acts or activities. If it is not already crystal clear, it behooves us to quickly become accustomed to the notion that morality and lawfulness can be and often are distinctly different creatures. And if such a statement is true on the national level where values are, to a large degree, shared, its truth rings more clearly in the international community where morality has a very subjective essence.

The Soviets are not claiming that the downing of the plane was an accident. Rather, Marshal Nikolai V. Ogarkov stated at a press conference that, "The Soviet Union honorably and justly fulfilled its obligations," and added that the same course of action would be followed in the future. The Soviet reaction was practically mandated by its own border law. This incident does not come as much of a surprise to the world, as some would have us believe, nor is the question why the plane was shot down left completely unanswered.

Despite accusations of a C.I.A. intelligence mission and counter-claims about a planned assassination of reactionary Congressman Larry McDonald of Georgia, the simple explanation is that the plane was shot down because it invaded Soviet airspace. The Soviets are known to

be extremely sensitive in the defense of their borders. They have shot at other commercial airliners and they have even shot at their own planes, mistaking them for spy planes. Considering the tensions created by the current warfare and intelligence gathering abilities possessed by hostile states, such "defense" paranoia is inevitable, even expected.

Not surprisingly, the Soviet Union is not the only country to have reacted to a border incursion in similar fashion. Ten years ago, Israel shot down a Libyan airliner which had strayed over the Sinai; Israel apologized and paid compensation. The acceptance of responsibility by Israel came about solely because of the values and expectations shared by Israel with a large portion of the world community. No effective sanctions can be imposed on the Soviet Union given the present international political-legal and economic structures.

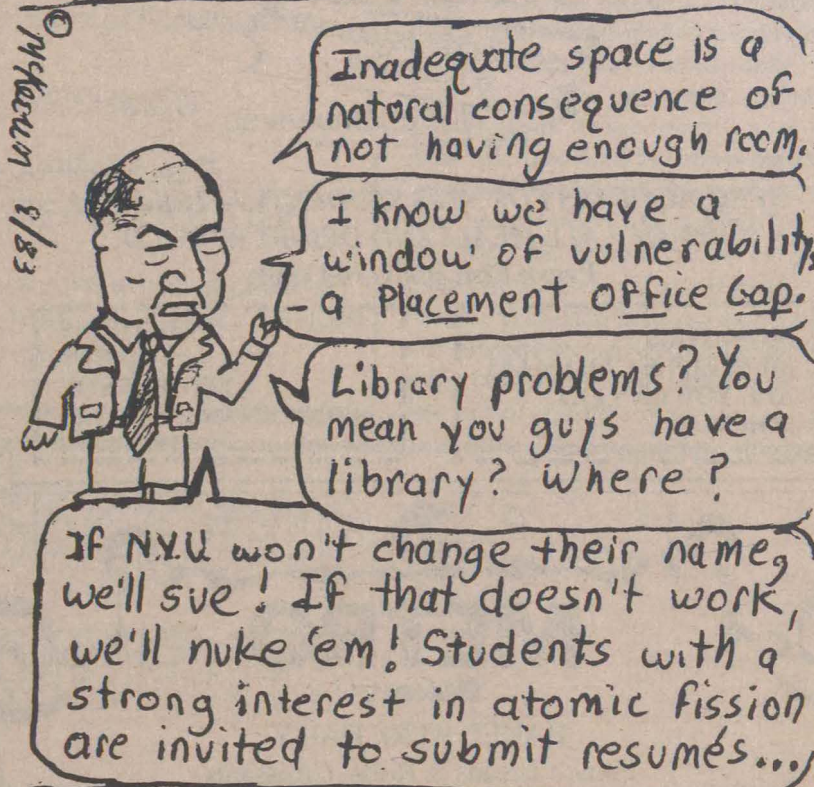
The immediate answer lies, as Reagan seems to have surmised correctly, not in attempting to impose American or Western values and morals on the rest of the world, but in clearly understanding what can be done in a particular situation. The moral judgment is important, but effective leadership requires that the legal, political, and economic implications be separated and considered when coming to a decision. The result of the present controversy is that Ronald Reagan will find it easier to achieve some of his more excessive military programs, as well as finding more support for the placement of Pershing II missiles in Europe. It is likely that Reagan will effectively use the incident to ensure the success of his political goals; goals that will lead to an increase in the tensions that led to the downing of Flight 007.

If these results seem somehow empty, as they should, then it might be the time to propose a strengthening of the international legal system so that it can effectively provide some form of justice when a wrong has been committed.

Changes of that nature will not occur without a corresponding adjustment in the underlying relationships between nations and that adjustment will only happen if there is an increased understanding and awareness of the perspectives of other countries, and a realization that the nations of the world are interdependent. In order to achieve this, a stronger and more productive dialogue and increased cooperation must be established with the Soviet Union.

Often, a tragedy can bring about progress by awakening people to such a need. If that is the fate of Flight 007, then the memory of this incident can elicit hope, as well as sorrow; hope that the tragedy will not be repeated.

— DEAN ROSTOW SPOKE CANDIDLY ON A WIDE RANGE OF CONCERNS...



"Doing The Right Thing"

by Paul A. Friedman

Intellectually I know that America is not better than any other country; emotionally I know she is better than every other country.

—Sinclair Lewis

Americans are once again torn between their emotions and their intellect, and as it has happened so often in the past, war and peace hang in the balance.

It's easy to believe that America is always doing the right thing. Although many of us realize that America shouldn't and can't be the policeman of the world, many of us also feel a strong emotional tug for it to be just such a policeman. We believe that the American way of life is by far the best in the world and we are doing other peoples a favor by helping them attain this. But we should think again.

A nation of our size and power cannot be ruled by such egotistical emotions. History has shown that attempts to impose our will on other nations have more often than not resulted in bringing further hardship and despair to those nations. Recent examples can be found in Cuba, Chile, Iran, and Vietnam.

The common threads running through our involvement with these nations are our historic willingness to side with any government that portrays itself as anti-communist, and our consistent acceptance of simplistic and jingoistic analyses offered by our government to justify that policy. The results have been devastatingly poor. Nations have been left in rubble and America's image as a country that believes in peace and human rights has been seriously damaged.

Our intervention in Lebanon and

Central America shows our inability to learn from these past mistakes.

America, under the guise of a peacemaker, is again playing policeman by injecting itself into the internal wars of other nations.

Again our government justifies its actions by claiming that our way of life is endangered either by communism or by a threat to our pride. In either case, the price we're paying now is the same one we paid in Vietnam: human lives. Our government is using the same reasons to justify staying in Lebanon and Central America that it used in Vietnam.

The peoples of Lebanon, El Salvador, Nicaragua, and the rest of the world, should not have solutions to their problems imposed on them by American force. Rather, if we have a role to play, we should encourage dialogue between any and all warring parties. In the end, we should be supportive of whatever solution will lead to an end to violence.

It's easy to believe that when America steps in to "save the day" with its aircraft carriers and marines, or even the C.I.A., we are doing the right thing. But we are really just repeating past mistakes.

America must begin to realize that a foreign policy based solely on anti-communism is shallow and destined to fail. Furthermore, no coherent policy can ever be developed by constantly reacting to problems by force; especially problems that we've helped create by closing our eyes to human rights violations of various governments we support around the world.

The America of the 1980's is not the America of the 1960's, but, if we continue in the direction we're going, this truism could die with our soldiers in Lebanon.

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Low-Cost Counselling

by Jennifer M. Selzer

A low cost psychotherapy facility is now available for New York Law School students.

Unlike most mental health clinics, the Psychological Service Center at 2112 Broadway enables those who can't afford standard fees to see a New York State licensed psychologist in his private office at a fraction of the usual cost.

The cost to students is \$15 per session, but may be less depending on the level of income. A small fee is required for the processing of applications and income statements.

However, the Center is extremely liberal when estimating a student's income. Those students dependent upon parental support need not fear rejection from the facility due to their higher income level.

Joan Hacker, the Center's coordinator, actively encourages all those whose incomes are supplemented or exclusively provided by parents to apply if in need of psychological counselling.

Those who are able to afford traditional rates are cautioned about abusing this generous program.

A varied range of psychological services is available. Although no evening hours exist at this time for individual counselling, the Center is willing to arrange group sessions during the evening. This would enable students to discuss among their peers the fears and pressures associated with law school.

Election Dispute

(continued from page 1)

The sections affected are A and C of the class of 1984, the 1984 mid-year section, and the 1986 evening section.

"There is a strong likelihood judicial action will be taken, via the SBA Judicial Board," said Drew Britcher, one of the students disgruntled with the Election Commission's handling of the situation.

Bryan said that in response to this oversight, he and the other Commissioners, David Futter and Perry Ferrara, have decided to hold special elections for the sections involved. However, each section will be allowed one Senator, instead of the usual three.

"We don't have to have the special election, technically," Bryan said. He added that the SBA is holding the special elections so that the affected sections will have some representation. "We've never done anything like this before," Bryan said.

Bryan explained that the reason for allocating only one seat per section is the limitation imposed by the SBA Constitution that there may not be more than 50 Senators. As it is, Bryan pointed out, there are more than 40 Senators already. Thus, he concluded, it was too late to give full representation to the third year section in question.

Britcher countered that argument by denouncing the representational scheme as unconstitutional and plainly unfair.

"It's ridiculous that the second year class should have twelve representatives and the third year class only six, which is the way it is now," Britcher said.

In addition, if there is enough interest, the Center will arrange for a counselor to speak at the school on topics related to stress.

This program is made possible by the generosity of psychologists who donate their time to the Center and thereby give private care at clinic prices. The Center itself is a not-for-profit educational corporation chartered by the New York Department of Education.

To apply or for further information, please call Ms. Joan Hacker at 212-496-9005 between the hours of 10 a.m. and 2 p.m., Monday through Friday. All inquiries are kept totally confidential.

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News Flash

Monday, October 3, the faculty of New York Law School approved a statement of non-discrimination. The statement reads, "New York Law School is committed to a policy against discrimination in employment and admissions based on race, color, religion, sex, sexual orientation, marital or parental status, national origin, age or handicap. The placement facilities of the school are available only to employers whose practices are consistent with this policy."

Since the military does not use placement services presently, this resolution will have no effect on it. However, the resolution will have an effect on private firms who have either been scheduled to appear in the next few months or in the coming years.

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LIBRARY NOTES

The column originally was started as a means to answer the comments and suggestions left in our suggestion box. Throughout the year it was also used to inform students about some of the changes in the library and comment on some of the problems that we were encountering. During the year we discussed the library's noise problem, the space problem, and the unfortunate fact that library use is frequently disrupted when the library space is being used for law school activities.

We are going to continue to use this column as a way to inform, answer questions, and communicate in general. The library offers a number of services and a wide variety of assistance, but the majority of students use it merely to study or get reserve books. Most people are unaware of the things the library has or of the ways that the library staff can help in research or reference. Our primary goal is to promote and encourage the use of our information resources.

We know that there are severe deficiencies in our physical facilities and that it is frequently necessary to have to travel several floors in order to do basic research, but we intend to deliver services and perform our educational role despite the physical problems.

The suggestion box on the Reserve Desk has proved to be a popular innovation, and many of the suggestions submitted over the past year have been valuable and worthwhile. We have adopted many ideas and followed up whenever it was possible. Suggestions which were signed got personal responses; otherwise they were answered in this column. We found that most suggestions dealt with the physical aspects of the library (too hot, too cold, burned out lights, and a barrage of interesting ideas about the bathrooms). All of these were referred to the physical plant supervisors.

One important thing to remember: the suggestion box is not a substitute for human contact. It is sad to note how many times people put questions in the suggestion box that could easily be answered by a reference librarian. There is no point in writing a note that "57 Michigan Law Review is missing from the shelves." The reference librarians can help people locate "missing" volumes, borrow books on inter-library loan, or get esoteric articles quickly via our telefacsimile equipment.

It is disturbing to get irate, unsigned letters demanding to know why we don't have particular books, when actually we do have the items in question, and they are sitting on the shelves in clear sight. Although anonymity can be comfortable on some occasions, for most "suggestions" human contact can save a lot of time and energy.

LEXIS and WESTLAW training sessions by library staff members are given for second, third, and fourth year students at least once a week. The times vary to give students with different schedules a chance to attend. The times for the next sessions are always posted on the door to



Honorary degree recipients of NYLS commencement ceremonies of June 1983. Pictured above, from left to right, are commencement speaker and Associate Justice of U.S. Supreme Court, Harry A. Blackmun; Chief Judge of the U.S. District Court for the Southern District of N.Y., Constance Baker Motley; Senior Partner of Parker Chapin Flattan and Klimpl, Albert Parker '21; and the United States Senator from Connecticut, Lowell P. Weicker, Jr.

the Computer Room on the first floor of 57 Worth Street. Students can therefore check the training schedule either by looking at this door or by calling the library at 431-2333.

It is not necessary to sign up for these sessions; just show up. The LEXIS Handbook or WESTLAW Reference Manual, which are kept behind the Reserve Desk, should be studied beforehand.

Phi Alpha Update

by Andrew K. Ritter

On Thursday, September 22nd, the NYLS community was confronted with its first event of the semester and judging by

the tremendous turnout, the activity was fervently embraced.

Indeed the feeling of warm embrace pervaded the room as students, faculty and friends alike turned out to officially initiate the "new" student lounge at Phi Alpha Delta's Annual Fall Semester Orientation Program (Party). Many considered the party somewhat symbolic in that it seemed to accentuate the revitalized school spirit that has been endangered through the current revitalization of the physical plant, and the coming of the new dean, Eugene Rostow.

As a corollary, it may be noted that the fraternity itself was chartered through the efforts of a small group of students who believed that the law school community needed an organization that would enhance

law school life both socially and professionally. Thus, last January the Samuel Tilden Chapter became another in the fine group of chapters boasted by the foremost International Legal Fraternity—Phi Alpha Delta. By the look of things, the fraternity seems intent on growing and progressing stride for stride with the school—not only has membership already doubled, but its members seem committed to continuing in the fraternity's strong tradition of excellence.

As the semester grinds onward and the workload takes on smothering proportions, it is important to know that there is an organization that will provide that much needed release. According to PAD Chapter Justice Randall Bluth one of the purposes of the party was to show students that PAD offers that release. He emphasized that PAD presents numerous activities that encourage professionalism through programs such as speakers' forums and the juvenile justice program. These offer an opportunity for students to get to know others active in the field and get a firsthand view of the profession they have chosen. More than that, the social program offered by PAD give students a chance to interact with members of other classes. This type of interaction facilitates comradery and a sharing of information and experiences in an effort to lessen the confusion that often accompanies the learning of the law.

Such was the setting last September 22nd. For those that missed it—we hope you find a similar release that proves as adequate. And for those interested—see you at the next meeting. Watch for signs.

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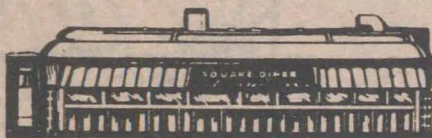
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Jessup Deadline Rapidly Approaching

by Peter McGowan

Technology and increased competition for limited world resources compel world interdependency, but it also inevitably results in international conflict. Questions concerning international legal rights are challenging and usually involve fundamental legal principles.

The Jessup Competition is an exciting opportunity to argue questions of international law in a global competition.

The International Law Society is very pleased to announce that the NYLS Jessup Team won the Northeast regional competition and placed sixth in the national competition in Washington last spring.

The team members were Theresa Szeliga, David Weiss, Tad Collins, and Sheara Friend.

Their hard work and advocacy skills are to be commended.

The Jessup Competition will begin again soon. The International Law Society is anxious to sponsor another team of strong advocates for the competition. The most important skills for this competition

are brief writing and oral advocacy. Although not essential, an understanding of international legal principles is beneficial.

The International Law Society encourages interested students to submit a letter of intention to participate in the competition. Letters should highlight particular strengths and should be submitted to the Society by October 11.

Alumni Get Involved

by Kathy Golden Dussault

There are three events which cause anxiety in the heart of every law student—getting called on in class, taking a final exam, and finding a job upon graduation.

Finding a job, in particular, is a difficult and highly competitive ordeal for NYLS students. The Alumni Association of NYLS is acutely aware of the dilemma confronting students. In fact, the Association considers placement such a priority that a formal committee was organized to tackle the problem.

The Placement and Career Counseling Committee is chaired by Robert V. Gaulin, '76, and consists of several Alumni Association Board Directors and two

student Board Directors. I am one of the two student Directors.

"The aim is to give the alumni hard facts about the students and the school," Gaulin said. "We want to show the alumni that on the hard facts, the students and the school are of equal, and often superior, caliber, when compared to the students and the schools in the region."

It is his belief that if the alumni are presented with positive statistics about the students and the school they will have more reason than just loyalty to aid NYLS students in their quest for interviews and jobs.

A Specialty Directory is also being created for use by alumni and students. Currently, there is no directory which lists the areas of law in which NYLS graduates work.

"This will foster networking and get alumni talking to one another," Gaulin said optimistically.

Perhaps the most "immediate" benefit to students will be the monthly specialty panels at the law school involving NYLS graduates.

Alumni interest in this program is unbelievable. I was stunned to discover there are over 300 willing alumni waiting to participate.

Topics will range from "How to get

that first job and interviewing techniques" to "Alternative areas of legal practice." The best part about these panels is that NYLS graduates will be talking to NYLS students. Even if you don't like panels, you'll at least be able to see what someone looks like after he graduates from NYLS. The first panel is in October.

"We plan on establishing a presence at the law school," stated Gaulin. "I haven't forgotten what it's like to be a law student. I want to help foster the NYLS network of alumni and broaden the communication between students and alumni for the benefit of both sides."

A primary goal of the Committee is to locate a competent Director of Placement. The Committee has been asked by the Administration to assist in the search for a new Director. Having attended several meetings thus far, I have been impressed by the serious nature of commitment displayed by all of the members of the Committee in realizing this crucial goal. I plan on keeping you updated on their progress.

Congratulations are in order for eight members of the 1984 Section B Class: Daniel Becht, Abby Friedman Appelbaum, Joseph Gunn, Lance Hale, Karen Ford Edler, John Finnegan, David Fleishman, and Kathleen Golden Dussault, all got married this summer. Congratulations!

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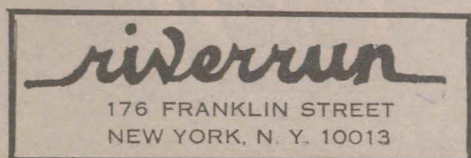
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