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The New York Law School ADVOCATE



Vol. I, No. 3

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November 9, 1982

BUILDING PLAN SCRAPPED

By Paul Friedman

The new facility that New York Law School had planned to construct on the parking lot next to 47 Worth St. will not be built due to unexpectedly high costs.

According to newly appointed Deputy Dean B. James George, because the lowest bid for the proposed building was 40% higher than the expected cost, it will be impossible to go forward with the proposed building. However, alternatives are being actively researched. The trustee and faculty committees, in unprecedented colla-

LEGAL AID STRIKES BACK

On October 22, at 5 p.m., the staff attorneys of the Legal Aid Society (L.A.S.) went on strike—575 attorneys in all. Three weeks later, with negotiations broken down, spirits are high, and no one is predicting settlement.

Support for the attorneys is widespread. Among the speakers at a rally held in City Hall Park on October 29th, were such notables as Judge Kris Glen, Frank Barbaro, Miriam Friedlander, Judge Bruce Wright, representatives from District 1199 and local 99 of the ILGWU, as well as a silent appearance by Weldon Brewer (see inside story). The two hour gathering came to a close in song and cheer led by "Ricky and the Rabblers." Some 400 people attended the rally.

The consensus of the Legal Aid attorneys who attended the rally was that management appears willing to keep them out for quite a while. This may prove ultimately to be to the striker's advantage. According to supervising judge of the Criminal Court, Judge Joan B. Carey, "The strike is just not impacting on us yet." This view is shared by Administrative Judge Jawn A. Sandifer of Manhattan Supreme Court. He added, "If we're going to feel the effects of the strike, it will be next week."

The attorneys on strike, members of the Association of Legal Aid Attorneys (ALAA), an affiliate of the United Auto Workers/District 65 union, voted 2-1 to reject management's final offer of a 4.3% wage increase. Aside from the paucity of this offer in real terms, the increase falls far short of what the strikers consider adequate compensation for the quality of the work Legal Aid attorneys perform and correlatively, is disproportionate to the quantity of their work. This meager increase becomes even more apparent in light of the

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boration, are seriously considering either purchasing a building in the immediate area of NYLS or redesigning a smaller version of the same building. Dean George would not specify, however, which buildings were considered to be the most highly prized for the school's purposes.

The decision not to go forward with

the construction at the higher price was based on a number of factors, including the state of the school's bank account. According to Dean of Alumni Affairs, Lucille Hillman, the NYLS bank account presently stands at or about 10 million dollars, (with more money expected), which other highly reliable resources claim would be sufficient

to go forward with the building. However, those sources also indicate that such an expenditure would place the school's general finances in a precarious position.

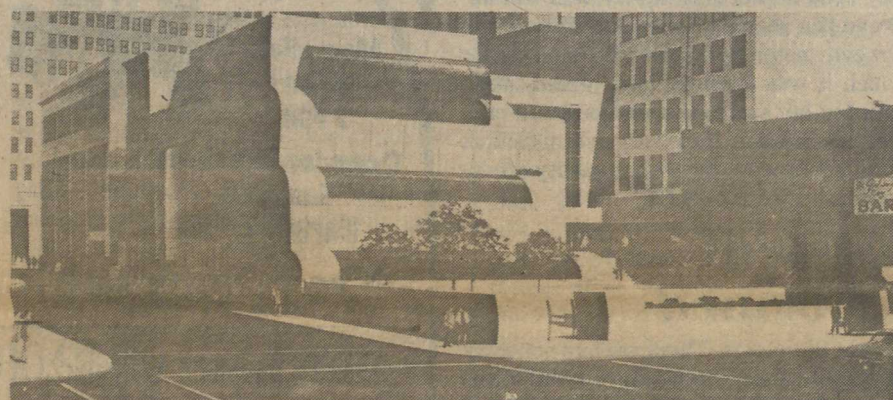
Factors that played a large part in this analysis were: 1) the untenable position of postponing the renovation of B and C buildings into a library, and 2) the unstable nature of the economy, which could deleteriously affect enrollment in the coming years.

The original plan to build a new building and renovate B and C buildings was composed after a hard fought battle between the faculty and the Board of Trustees. The result was a proposal that linked the two projects not only politically but physically. One project without the other, then, would be only half a plan.

This was not the only controversy, though. Still in contention to the last minute, (before the bids were open) was the design of the new building itself.

A reliable source has indicated that the faculty was not satisfied with the 3-story auditorium that was promoted by both the administration and the trustees, because they felt that classroom and library space was a more vital priority. In fact, a major confrontation on this issue may have been averted by the collapse of the project.

No matter how useful the miscalculation by the architects may be in promoting harmony between the faculty and the Board of Trustees, it is nevertheless likely that the architectural firms responsible, Leonard Parker Associates of Minneapolis and Carson, Lundin and Thoesen of New York, will suffer. Already, in a recent interview with Dean E. Donald Shapiro (see this issue of the ADVOCATE), the Dean has alluded to the architects as the cause of "the delay" in constructing a building. Thus, these firms may be made the scapegoats for the failure to move forward on the pressing need for additional space at NYLS.



Artist Rendition of Proposed Building

Smash Hit Symposium

*Panelists Fallout
Over Deterence*

By Will Hart

The International Law Society of New York Law School sponsored "Nuclear Arms and World Public Order" on Friday, October 22. Several hundred people, including law students, professors, lawyers, doctors and scientist, participated in the daylong symposium held at the school.

Debate was lively but all the speakers agreed that the arms race must somehow be halted.

Lieutenant-General Royal Allison, U.S.A.F. Ret., told the audience that "it is the job of the military to protect the nation's citizens, not to reduce arms." Although the military supports the SALT I

Continued on Page 10

*Musicians Harmonize
With Law*

By John Schuler

Approximately 200 entertainment lawyers, law students and musicians attended *Law and the Musician* at New York Law School on Saturday, October 23rd and talked about the problems of musicians and the law. Various topics included recording and management, contracts, performing rights, and copyright considerations.

Symposium organizer Stan Soocher said that the purpose of the day-long program was to alert professional musicians to the importance of lawyers and legal advice in their careers.

"There are too many good musicians around with sob stories about what hap-

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NYLS ENTERS COMPUTER AGE

By Andrew Lupu

New York Law School has acquired a highly sophisticated computer system, the SYS/34, in its quest to improve its services to students and decrease the time needed to process information. Dean Arnold Graham, Vice-Dean in charge of Finances, is the person responsible for bringing the new system to the school. He envisions all data pertinent to the functioning of NYLS stored on the main computer bank located in the old third floor lounge in A building. Information would be accessible in an instant to the various departments through computer terminals.

All the branches of the school including the Registrar, Financial Aid, Admissions, Alumni and Development and Accounting offices will soon be wholly computerized. Office personnel will be free to concentrate on services more vital and more productive than compiling lists which are necessary but excessively time-consuming.

At 256 megabits, the computer is an awesome addition to the "staff" at NYLS. The "34" is the top of its line according to Beverly Celusak, the school's full-time computer analyst. The "34" has the maximum memory capability possible for the system and two printers, each the most sophisticated printer of its type. One is a high-speed printer and the other prints by ink-jet.

Not only is the computer's ability to

perform its functions superb, its strongest selling point, noted Celusak, is that it is a dexterous machine able to be used creatively and can be updated and maintained by each of the departments using it. Although it is merely a mini-computer, Celusak said "NYLS can do anything with the system for the needs of the school."

The SYS/34 is a medium to low priced computer costing \$120,000.00. But with the hardware added the entire cost rounds out at \$250,000.00-\$300,000.00. Dean Graham said that one can not really measure the price of the computer because "its acquisition was a necessity."

Prior to this system, NYLS had a line-sharing system until 1978 which was accessible by telephone. When this system failed to fill the needs of the school, the administration sought another system. Dean Graham stated that NYLS is one of the only independent law schools to have a system like this. Since NYLS has the same problems of universities and their law schools, NYLS must counter these problems with computer systems comparable to theirs, said Graham.

It is hoped that this system will improve the services to the students. Dean Graham notes that most of the needs for which it was obtained have already been satisfied but such a system has almost endless possibilities. He is very optimistic that the SYS/34 will improve the quality of education and life at NYLS.

Commencement Committee Formed

By Donna Lieberman

When spring comes to New York Law School, the thoughts of some turn to love. But for others, the change of seasons means the announcement of the guest speaker and honorary degree recipients at the June graduation ceremonies.

Last year, the announcement that Senator Alfonse D'Amato would accept an honorary degree came as an unpleasant surprise to some students. Petitions were hastily circulated by members of the Class of '82 who felt that Senator D'Amato was an inappropriate, if not a downright offensive choice. In defending the invitation, Dean Bearn pointed to the title "Senator" and to the fact that the protesting students could not claim to speak for the entire student body.

Senator D'Amato has come and gone, and not too many people are still debating his merits as an honorary degree recipient. But last semester's controversy did highlight a problem that has not gone away—the lack of student input into the process of selecting degree recipients and speakers.

Student Bar Association President Lisa Murphy raised the subject at an alumni meeting this summer and has met twice (since then) with members of the administration. The result is a Commencement Committee composed of third year SBA representatives and one evening student who requested a position. The committee members are Cheryl Bright, chairperson, Kenneth Aron, John Gartner, Robert Gordon, Kenneth Keefe, Frank Krotchinsky, Suzanne Patnaude, Michael Peterson, John Ruskin, Paulette Taylor, and Richard Williams.

The committee will be making up a list of suggested speakers and honorary

degree recipients. There are five honorary degree recipients each year. The list will be drawn from responses to questionnaires that were scheduled for mailing to third year students in mid-October.

Once the questionnaires have been returned, Dean Hillman and committee members will review the suggestions and, as Dean Hillman put it to committee members, eliminate any names likely to be considered too controversial by the Board of Trustees. Dean Hillman will also remove the names of those individuals who have been invited to graduation in the past and have turned down the invitation. The shortened list will then be sent to Dean Shapiro, who will submit it to the Board of Trustees.

By the time this year's speaker and degree recipients have been announced, a great deal of effort will have been put into getting students involved in the decision-making process. However, the Board of Trustees will continue to have final say. If the Board chooses to ignore the student suggestions, displeased students can once again resort to circulating petitions.

News Briefs



New Deputy Dean B.J. George

Professor B. James George has assumed, as Deputy Dean, command control over academic and student matters until June. The search for a new Dean is on, but

if no one is designated by that date, an Acting Dean must be appointed by the Board of Trustees and the faculty.

The Annual Blood Drive held Nov. 2 was a success according to the American Red Cross. Seventy-three pints of blood were sucked from NYLS.

The annual phonathon has pledges of \$17,000.00 as of press time. With only two evenings of telephoning left the goal of \$25,000.00 seems within reach, according to Anne Saplin of the Office for Alumni and Development.

WESTLAW is hooked up and ready to go. Fred Shapiro of the library staff is now learning how to operate WESTLAW. He will soon announce training sessions for the rest of NYLS.

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Strike

Continued from Page 1

8-10% wage increases of other court-employed workers.

Underlying the strike is a situation that both typifies and magnifies the necessity of the strike in the eyes of the LAS attorneys, causing great animosity towards management as well as staunch support for the strike.

This "catalyst for the strike" in the words of Carol Gerstl, president of ALAA, was the unprecedented firing of Weldon Brewer, a staff attorney at Legal Aid for 10 years. At the time of the firing he had been working at the Brooklyn Criminal Defense Division for about one year.

Brewer was terminated after he filed a well-documented, meritorious workload grievance and filed for arbitration with the

American Arbitration Association (AAA). After advancing through two steps of the administrative procedure, his complaint is now pending before the AA for a final determination.

Management views the strike, triggered by the firing of Brewer, as a work condition grievance and as such illegal. The staff attorneys work under a two year contract regarding working conditions with a provision for yearly negotiations concerning wages and benefits. This year, only the wage and benefits provisions are open for negotiation. The attorneys assert that the strike is over wages and benefits and that the lack of job security coupled with the excessive caseloads entitles them to requisite compensation. The 4.3% increase is considered insufficient to meet the demands of the job. Apparently, management's position is that the strike is illegal

and a poorly-disguised excuse to block further negotiations with the union, which reached a standstill on October 25th.

In a Channel 2 News interview with Archibald Murray, executive director of LAS, reporter Chris Borgen asked what was needed to open negotiations. Murray replied, "a letter; a telegram, or smoke signals [from the Union]." The clear implication of his remark is that it is the fault of the union that negotiations have broken down. On October 25th, the very day that bargaining talks came to a halt, however, a telegram sent to Murray stated the following:

Large Firms: What They're Looking For

By Guillermo Gleizer

For last issue's article, I interviewed hiring partners of small and medium size firms in New York. They were busy but in less than a week I was able to meet both persons. For this issue's article, I was trying to interview people who charge over \$250 per hour. There is a big difference. After many attempts, David Rea of Wilkie, Farr & Gallagher, a large general practice firm, rescued me. Also Laura Colangelo, founder and president of Legal Search Consultants, Inc., was most helpful. Their opinions on hiring practices of large firms follow.

Q: What does the ideal candidate look like?

Rea: We don't really have an ideal candidate. If we did, all associates would look like clones. We look for a variety of skills and personalities when we interview. People often surprise us in the interview because they show something in addition to what we are looking for. A wide range of natural talents, a certain amount of emotional warmth, in addition to good old ordinary ambition.

Q: What do you look for in the candidate?

Rea: We are looking for people who are going to become partners. We look for the widest range of qualities that we can find. I suppose we look for people who are intellectually confident, well organized, independent enough to carry on work with successively less supervision, and able to gain experience rapidly and consistently with our quality standards.

Q: What are the qualifications?

Colangelo: In order of importance:

1. Grades
2. Law Review
3. Personality

Rea: Grades and Law Review are a threshold. The production of good law students is large enough. Supply is not a problem. We have special standards below which we won't consider. Once they meet that, of course, we look at other qualities.

Q: What are the other qualities?

Colangelo: Anything that would make you unique, like a special background in a particular area, or speaking several languages.

Rea: I think what I'd look for as a permanent quality is a person capable of distinguishing situations and having a variety of approaches. Aggressiveness is not a primary quality. Being articulate is very important, orally and in writing. Of course we have little time to read writing samples, but we get a feeling.

Q: What should the candidate show in the interview?

Rea: Confidence, yes; overconfidence means you are more confident than you should be. Anyone approaching a new situation does it with, not fear, but tempered

By a vote taken this afternoon, October 25, 1982, our membership voted to reject your last contract offer and to continue our strike over wages and benefits. We are prepared to meet with you at the earliest opportunity to discuss any further wage or benefit offer you wish to put forward.

At this writing there has been no response to the telegram, Weldon Brewer is still mired in the procedural red-tape of an arbitration proceeding and the Legal Aid attorneys are still on strike.

awareness that you are simply not expert and you are at the lower end of your earnings curve. There are some situations you should enter definitely mistrustful of yourself. Diligence is important. Thoroughness in research and analysis rates high in our hiring list. We hire our people to be useful right away. At \$42,000 a year, you expect something in return.

Q: What else?

Rea: Ability to write with clarity. Not beautiful writing, just clear writing. And, of course, analytical abilities and negotiating skills.

Q: How long is the interview?

Rea: Not all of this comes out in the series of interviews. That's why we have the summer programs, where we work closely with the student. We tend to hire from the programs. But in the last two years we have had to hire people just out of school or other firms. We like to continue with our summer program but when business gets too hectic we have to staff with what we can find. And we are pretty happy with people from other firms.

Q: How important is personal rapport?

Colangelo: If you like the firm, you will have something in common with it. You'll show it and make clear that you'll be an asset for the firm.

Rea: Very important and very difficult to define. Someone you like and get along with makes a more favorable impression, obviously. We like to rise above personal feelings, although not too far above, because we'll end up working with that person. We hope that the relationship will be mutually rewarding and interesting and amusing and all of those good things. We want somebody who will enjoy working with us. He becomes an investment on our part. I don't have exact figures, but it may be an investment in the six figures, and time spent. If the person is not working out we try to find out what the problem is. In many cases a transfer from one department to another within the firm will be enough. We have over 200 lawyers.

Q: What is the dress code?

Rea: We never had a candidate walk in sloppily dressed. That doesn't seem to happen. Most of the former hippies, when they get to law school and start interviewing, they get themselves a suit. Maybe the first one they ever had but that's what they do. I think you'll find more hippie clients than hippie lawyers, but that's another subject.

Q: Any final comment?

Rea: There is not much you can do in image building. There is no single type. We hire good people with solid legal background who are not emotionally handicapped and have potential in this most rewarding career. I don't know what else to say but come out and see us.

SPARK BEHIND THE STRIKE

According to a statement issued by Weldon Brewer, as early as January 1982 he began keeping tracking of his work time. On several occasions in the following months he informed management of his excessive work load and his intention to file a grievance and also provided detailed reports of his caseload and uncompleted work due to overburdening.

On August 26th Brewer filed his caseload grievance. At that time he was handling 36 felonies and 29 misdemeanors. Legal Aid's failure to adequately reduce his caseload combined with the time-consuming nature of the grievance procedure forced Brewer to inform the court of his pending complaint. As a result, the court relieved him of the case of *People v. Walker*.

Brewer's request to be relieved of the case, granted by the court, was considered "abandonment" of a client by management.

At the final meeting of the grievance committee on September 16th, Brewer was asked to resign with a "severance" pay or consider himself fired. The union filed for arbitration with AAA on his behalf. Weldon Brewer was fired. The ground for his termination was "gross neglect of obligations to clients"—the very clients from whose cases Brewer had requested on several occasions to be relieved, to no avail.

Management's position is that the arbitration proceeding, at least a four month process if not longer, is the proper channel to resolve the issue of caseload grievance.

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Interview:

Shapiro Reflects on Past Decade

Dean Shapiro has been a controversial administrator who sought to completely rejuvenate this institution. During his ten year tenure, the school experienced a rapid increase in faculty size and quality, and student LSAT scores. In the interview with *ADVOCATE* reporter Glenn Warshaw, Dean Shapiro reflects on the past decade at NYLS.

Q. Why are you resigning your deanship?

A. I've been here for ten years. That's the second longest tenure as Dean in NYLS's history. Ten years is a long time in this position and I'm tired. I want to spend more time with scholarship and teaching.

Q. What did you like most about being at NYLS?

A. Working with the students and faculty. I like seeing the students grow from law school freshmen to practicing attorneys. I have made a lot of lifelong friendships. It has been the most fulfilling ten years of my life.

Q. What did you like least about being at NYLS?

A. The least enjoyable aspect of the job has been the tedious administrative details: the filling out of the forms and the numerous fund raising phone calls.

Q. What did you do which most benefited the school?

A. Basically raise the quality of the student body. Of course, I had much help. The faculty, the trustees and the assistant deans contributed much. During the last ten years, the median LSAT score has risen from 553 to 622. The number of full-time faculty has increased from 12 to 40. This much growth is unequalled by any law school in the United States.

Q. What were your impressions of NYLS the first day you came here?

A. I remember my first day vividly. I thought NYLS was the most unprofessional law school I had ever seen. It has a small overworked faculty, a demoralized student body and horrid facilities. I wanted to resign the first day.

Q. Why do you think that happened here?

A. All institutions go through periods of decline and rise. I don't know of one that hasn't, including the Roman Empire.

Q. What are some of the improvements NYLS has undergone?

A. The budget has increased. More money is spent on the library. Better faculty has been brought to the school. I think that NYLS is probably in the top ten percent of all law schools in the country.

Q. Do you think that we are recognized as such?

A. Unfortunately, recognition lags behind achievement. Nevertheless, one of my greatest achievements is the raising of the quality of the student body and faculty.

Q. What is the status of the new building?

A. The building was supposed to be completed 18 months from last August. However, the architect's underestimation of costs has made that completion date impossible. At present, the completion date is up in the air. I consider one of the most important problems of NYLS to be the physical plant of the school and we need new and better facilities to relieve the constricted library space and classroom problem.

Q. What are the strongest attributes of the school?

A. The faculty and the academic program. Also, the school's location is important. We are perhaps the most urban-oriented law school and that seems to be the definitive trend of the future.

Q. What do you view as the prime function and purpose of a law school?

A. A law school is where law students learn to be lawyers. It is not a mere technical institution. A lawyer is, in reality, a social engineer. The problems with law schools today are that teachers rely on outdated modes of teaching and *The Paper Chase* syndrome.

Q. Is this school on a par with your ideal?

A. It has been quite successful, not as successful as I'd like it to be, but then again, no law school probably ever will. However, the school has come further and faster in the direction of this goal than any other school.

Q. How would you describe your overall performance as Dean?

A. I have worked very hard. I am pleased with most of my decisions made over the last ten years but I've made some mistakes. I have spent too much time in some areas, not enough in others. I've wanted to do more things but haven't had the time.

Q. How would you deal with your critics?

A. I think the biggest misconception about myself is that I am distant. Some of the students think I am remote but I am really quite the opposite. Those students who know me will tell you that I am not remote. Many times I must voice opinions that are really not mine, but those of the faculty and trustees; but I think that is a part of my job. When I return as a professor I'll be able to voice my own views.

Q. What do you envision as the future of NYLS?

A. The future of NYLS is very bright, the brightest in its history.

Bklyn Paper Fights Faculty Review

By Alice A. DeVoe

The *JUSTINIAN*, the newspaper of Brooklyn Law School, was reorganized this fall into an editorial collective consisting of seven members. Already, the *JUSTINIAN* is at odds with the administration over the school's requirement that a faculty member review the paper's copy. Under the collective system, patterned after New York University's School of Law *COMMENTATOR*, each member shares equal responsibility for the paper.

Interest in the newspaper had declined in the past two years for many reasons, some of which included internal newspaper politics, according to Carol Milder, a member of the editorial collective.

The present staff of the *JUSTINIAN* took control this fall, and have already put together two issues, compared to a total of three last year. The newspaper receives money from the student bar association of the school, but the majority of the funding is from advertising.

Brooklyn Law School has had the present review policy for the past 10 years. A faculty member must review the newspaper for possible defamatory material before the newspaper goes to the printer. This fall's first issue of the *JUSTINIAN* was not reviewed by a faculty member. This cause some scuffling between the newspaper and the Dean. The staff did

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CAMMER BEATS MACHINE IN COURT BID

By Robert Gordon

For Margaret Cammer, Judge-elect to the Civil Court for Kings County, the formal election victory on November 2, 1982 was anticlimactic after her amazing defeat of "machine politics" in the Democratic primary. That victory proved that, on occasion, determined and lucky independent candidates can succeed.

POLITICAL MACHINE CONTROLS COURT ELECTIONS

Civil Court judgeships, particularly in the outer boroughs, often serve as patronage jewels of the Democratic Party. The "machine" collects the petition signatures needed in order to qualify to appear on the ballot and then electioneers through to Primary Day.

Unfortunately, the candidates elected owe their jobs to this "machine" and become subject to the influence of clubhouse politics. Moreover, these judges, as the organization they represent, are largely predisposed towards "establishment" positions and sympathies. It is very difficult for an independent person without clubhouse ties and an establishment perspective to get on the ballot, much less succeed in winning the Democratic Party nomination necessary for victory in the Democratic-dominated general election.

This year the regular Democrats hoped to avoid the democratic process altogether. Civil Court Judge Louis Rosenthal timed his resignation so that only one

week remained in the petitioning period. The organization believed that in this way no one but their candidate could possibly gather 2500 valid signatures in that time.

CAMMER CHALLENGES THE MACHINE

Cammer, never before a politico, found



Civil Court Judge Margaret Cammer.

herself the recipient of a great deal of luck. She explains the events this way: "Members of the coalition of reform-minded Democrats found out about the resignation and went searching for a candidate. They use a judicial screening panel but in my case there was no time—this all happened in one day. So after speaking to someone who knew about me, they asked me to run.

Activist Background

Margaret Cammer began her career at Bedford Stuyvesant Legal Services after graduating from Brooklyn Law School in 1971. She was drawn to the law through her attorney-father's love for the field and through her involvement in the Civil Rights Movement. This concern for social issues also led her to the National Lawyer's Guild.

Cammer left Legal Services to start a partnership and civil practice. Her specialty was housing, real estate, and family law. At one time she vowed not to do traditional women lawyers' work such as matrimonial law. But then, according to Cammer, the women's movement and representation of wives made family law a socially important field.

She has since gone on to serve as an Arbitrator in the Civil Court.

Cammer recognized that she has a "set of experiences" which other judges have not had, including "involvement with the civil rights movement, the anti-war movement, housing law, and the women's movement. They gave me a different point of view."

This all occurred on August 4. August 10 was the last day to file petitions. For six days I, a group of my friends, members of the National Lawyers Guild, and the reform Democrats went out in the streets and collected about 6100 signatures. It was a big shock to everyone when we filed 1000 more signatures than the regulars did."

The first hurdle had been overcome. Next came the campaigning. Her opponent, John Gangemi, ran on a platform of "getting tough on crime" and support for the death penalty, thus hoping to gain from voters' fears and lack of sophistication. Cammer, on the other hand, stressed her litigation experience, her sense of fairness, and her integrity.

Apart from her qualifications, Cammer held an advantage in ethnicity. When the organization deviated from their past practice of putting up candidates with East European surnames and supported an Italian, Cammer gained a great advantage among a largely East European-biased electorate.

It was also fortuitous that Cammer ran in the same year that community groups throughout central Brooklyn banded together to run candidates against organization incumbents under the banner of Coalition for Empowerment. She joined with them and reaped the benefit of thousands of votes from the area. In fact, the lead she gained from central Brooklyn was a large part of the overall margin of victory as she outpolled Gangemi with 54% of the vote.

The final stroke of luck in Cammer's favor was that only the Liberal Party filed a candidate against her for the general election. Later this candidate declined the nomination in deference to her, leaving no opposition.

POST-ELECTION REFLECTIONS

These days, Cammer is content. She is proud of her success, not merely as a personal accomplishment, but as the victory of independent, concerned people, working together to challenge corrupt practices and policies of decision-makers who act as power-brokers. In a moment of optimism Cammer declared to future lawyers, "you can change the system."



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Editorial

Signs of Life

This past month has marked a period of unusual activity at New York Law School. The often lethargic atmosphere has given way to a buzz of activity. Talks and symposia have been proliferating with topics of discussion ranging from cameras in the courtroom to the legality of nuclear war. Student organizations have also sponsored parties and a poetry reading.

Could it be that NYLS' well-heeled, introverted student body is coming alive with a sense of community and common interest? Or is this burst of energy only the nervous twitch of an otherwise docile beast?

Maybe the answer lies in an examination of ongoing student activities rather than in particular events. Since last year's protest over the closed process by which the administration chose commencement speakers, the Student Bar Association has worked hard to hammer out an agreement whereby students will participate in this year's selection. Lisa Murphy, SBA President, has been lobbying to get students involved in faculty and administrative decision-making in all areas. Her attempt to place a student on the Curriculum Committee is one example of these efforts.

Clearly there is some movement toward an active student body, however, embryonic this trend may be. Such movement, rare even at the undergraduate level, is even more unusual in professional schools, and must be nurtured carefully. Conservative administrators, who exercise complete control over administrative and academic affairs, heavy course loads, job pressures, and general anxiety create a placid student body by stifling creative efforts.

Some students are trying to shake us from our lethargy. Regardless of motivation, whether students are seeking social change or merely an alternative to constant study, the effect is welcome. Symposia and programs give us opportunity to learn about specialized areas of law. Expansion of student involvement in decisions affecting curriculum and administration gives us a chance to shake the feeling of impotency that naturally accompanies being a student. Sustaining these efforts is not easy but it is certainly worthwhile.

Questionnaire

The ADVOCATE would like to know how bored the student body of NYLS really is. To help us out, please fill in the questionnaire below and leave it in the ADVOCATE box located at the Reserve Desk on the first floor of the Library. Now folks, be serious. Thanks for your help.

1. What year are you in? (ie: 1-1, 2-1, etc.)
2. Do you work?
F/T_ P/T_ No_
3. Do you attend class:
_well prepared?
_somewhat prepared?
_unprepared?
4. Do you participate in class?
_frequently?
_occasionally?
_can count the times on one hand?
_never?
5. Do you think professors encourage discussion?
_yes _no _some do, some don't.
6. Does the subject matter of your courses interest you?
_yes _no _somewhat
7. Do you do any outside reading?
If yes, what? (Newspapers, magazines, books etc)
8. Do you do any outside reading for your courses?
(Law review articles, periodicals, etc)
If yes, what? _____
9. Are you involved in any student organizations?
If yes, which ones? _____
10. Do you skip many classes?
11. Do you attempt to get notes for missed classes? Yes_ No_
if yes, how hard do you try? frantically_, diligently_, over cocktails_, just for appearances_
12. What do you do when you skip a class? (work, study, hang out?) _____
13. Comments _____

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Letters

Thanks But No Thanks

To the Editor:

Having just read the editorial about me and simultaneously having just learned of such an editorial, I feel the need to write this letter.

My major objection is that nobody saw the need to contact me to see if I would be in favor of or opposed to such an editorial (mention of whether an update of the facts was needed). Although I have not kept my situation private, the struggle for grade review remains delicate. I have much at stake if an improper tone is expressed when there is a presumption that I elicited such a tone. I have much at stake if inaccuracies are written when there is a presumption that I was conferred with.

Luckily, there were no gross inaccuracies. However, please note these facts:

FACT 1. Mr. Wolman tells us that "only students receiving failing grades are entitled [emphasis mine] to an inspection of their exams." While this is true under the jurisdiction of New York Law School, I read more legal force into the word entitle.

Under 34 C.F.R. 99.11 (a), students have a right to inspect and review their academic records, and, yes, bluebooks are among a student's academic records. Had you wondered why those pages were missing from Title 34 of the Code?

FACT 2. True, the proposal was on the agenda of the September 20th faculty meeting. At somebody's suggestion, somebody decided to let the Academic Status Committee (whose members the administration has refused to disclose to me) handle the matter. They met on October 7th. Professor Korngold chair of the committee) told me something to the effect that the matter was back in the hands of the faculty, the faculty's next meeting was in November, and that he didn't have the authority to give me any reasonable deadline for the resolution of the matter. To say the faculty has "postponed the date indefinitely" is not being fair to the faculty or to me.

Nancy Klaipts

EVEN YOU COULD BE A CHAUVINIST PIG

By Alice A. DeVoe

A very successful male chauvinist pig lawyer once gave some advice: Once the other guy shows his anger, your case is as good as won. The guy who is yelling and screaming is working on an emotional level, hence he is not thinking rationally. This, the male chauvinist pig pointed out, is why females do not make good attorneys.

Why can't male chauvinist pigs be a little more like women? A little more emotional and sensitive? What prompts them to perceive a woman's display of emotions as irrational and untimely? What's so bad about a few shouts or tears now and then? What exactly is an emotion and why can't it be dealt with rationally.

Since attorneys focus only on cold hard facts and winning verdicts they perhaps blur the subtle interplay of emotions with rational behavior and lose some understanding of motivations.

Emovere is the latin derivative of the word emotion and means to move out or to agitate. Webster's defines emotion as psychological excitement; to excite is to stimulate

or arouse.

Psyche was the very beautiful nymph who personified the soul and excited the jealousy and hatred of Venus, the goddess of beauty.

The rub begins to appear in figuring out what the soul means. Many think of the soul as the spiritual part of a person. Webster's second definition of the soul is the moral or emotional nature of man: a classic dichotomy which perhaps is the basis of the modern male/female contradiction.

If the soul is of a moral nature, then it is internally stimulated to form judgments and to draw conclusions, or to reason, as to the rightness and wrongness of certain external acts. It proceeds in a somewhat predictable and orderly manner.

If, however, the soul is made of emotions, it's back to square one with no clear definition of what an emotion really is. A closer look at defining emotion reveals it to be an internal reaction to an outside stimulus rather than a conscious internal choice to a situation. An emotional soul is forever rebounding from outside stimuli

which forces it to move in unpredictable directions. It's no wonder that male chauvinist pigs latch onto this definition in describing women and prefer the moral, rational soul for themselves.

Part of being a male chauvinist pig is amassing and using power to self-advantage. A male chauvinist pig will most naturally choose to be of a moral soul because of the desire to have control over his own thought processes. The ability to choose one way over another implies having the power to reject the way not chosen.

Once the mechanism of rational thought is perfected, of what benefit is dealing with variable external stimuli? The male chauvinist pig has no power to control this unpredictable nature and thus, would feel weakened. This unpredictability would be a fatal gap in his armor and would never do.

In order to be moved by a force, one has to feel something and be sensitive to what's going on. The hard part perhaps is putting that consciousness and accompanying reaction into words which accurately

describe and communicate that feeling. This introspection takes time; time more productively spent with clients, some may think.

Maybe it is just easier to shout when angry because it is a natural reaction. Pinpointing what causes that anger turns the emotional reaction into a workable internal stimulus which then can be dealt with rationally, productively and predictably.

Spotting underlying emotional reactions in others is a trick of the lawyer's trade as previously pointed out. However, a moment's reflection is all that is necessary to bridge the gap between an emotionally charged reaction and the rational thought process. The lawyer who works on rationally recognized emotions is in the most powerful position because he/she is sensitive to what's going on and is behaving in the rationally accepted manner.

The ace up the sleeve is not to let it be known.



WET BRIEFS

By Donna Lieberman

In what some view as an innovative effort to combine the studies of science and law, New York Law School has begun experimenting with a new library security system. The installation of two archways in A building mark the first step in an approach that may revolutionize the legal security field.

Next to the exit archway is a sign that reads "If Alarm Rings, Return to Library." The alarm should ring every time someone removes a book from the library and attempts to exit to the right with it. At this point, the person tripping the alarm will—theoretically—turn around, re-enter the library, and return the books.

Proponents of the new system are optimistic about its Pavlovian possibilities. They feel that after repeated experiences with the alarm, would-be book thieves can be trained to walk directly to the reserve desk and recite "Forgive me, Librarian, for I have sinned." Those particularly susceptible to sign-induced suggestion may even find themselves turning around as they near the exit, without the prompting of the alarm. If such unprompted reversals be-

come common, the sign may be changed to read: "If You Have Done Anything Wrong, Turn Yourself In to the Nearest Librarian."

Despite a promising beginning, the effects of the new security system will have to be closely monitored. Although experts do not consider it likely, there is some danger that the library alarm will not be the only alarm to induce the desired reaction. There is a slight possibility that those exposed to the new security will find themselves irresistibly drawn to the NYLS library every time a home or car alarm sound. If that proves to be the case, the resulting traffic congestion in the Worth Street area might force the library to abandon its experiment.

Library security is a matter of grave concern to students and staff alike. Should it become necessary for the Pavlov plan to be shelved, library personnel will undoubtedly waste no time in finding another approach to a serious problem. Alternatives are already being considered. Suggestions to date include barring entrance, hiding books, and requiring library users to leave their clothes at the door.

Watches Tell More Than Time

Robert Montgomery

Just a person's clothing can reveal a great deal about his tastes, a lawyer's watch can disclose much about his character. Regardless of race, creed, sex or color the average attorney succumbs to many time restraints. Whether he makes appointments, court appearances or luncheon dates, today's lawyer needs some affiliation with the 24 time zones on Earth.

Watches have the unique role of being a piece of jewelry as well as a useful instrument. This probably explains why watches retain gender characteristics. (Have you ever seen a man wearing a woman's watch?) Most lawyers wear watches on a

wrist, although they can be attached anywhere.

There are some lawyers who, through some fluke of character, refuse to wear watches. Their excuse is that they see the watch as a kind of single handcuff that restricts their blood flow and makes their wrists sweat. Some simply state they they don't want to be ruled by a little gadget These rebellious mustangs must rely on "public time" from large clocks on walls and can be seen sneaking glances at unsuspecting wrists.

The pocket-watch lawyer avoids agony of wrist restraint. Time to this traditionalist is intensely personal and pri-

vate. If this lawyer is asked the time he must free his hand and pull on a golden chain to draw the relic from a small pocket. He may have to push a tiny button to raise the lid, revealing the dial face. The pocket-watch lawyer relishes not only old-fashioned tradition, but the image of patience and dignity that arises from wealth. Of all the watch-toting lawyers, the ones with pocket-watches are most proud of their loudly ticking pieces.

The modern, efficient attorney wears a digital chronometer. A quartz crystal somehow keeps the lawyer accurate to within a second per month. A common affliction for this type of attorney is chro-

nomania—an overwhelming need to refer to his watch whenever asked a question. The extremely digital lawyer sets his watch to beep every 15 minutes to remind him the day is now 15 minutes shorter.

With alarming frequency, the digital lawyer has upset the decorum of the courts.

Judges visibly grimace at the attorney who fails to silence his wrist.

Recently, in federal district court, a defendant was being sentenced when somewhere a watch suddenly played "Fly Me To The Moon."

READ THIS BOOK

How To Do Your Best On Law School Exams

By Helen Jorda

You can be prepared and attend every class, you can read the hornbook, the canned briefs and make outlines, but you still will not be guaranteed good grades on the exams. The problem is that most professors do not teach us how to write exams—they teach us the law. Professor John Delaney, of the New York University School of Law, now lets us in on the secret of law school exams. In *How to Do Your Best on Law School Exams*, he demonstrates "lawyerlike" skills in a book that is humorous and easy to read.

Delaney takes the reader on a systematic and organized journey through

study tips, grading criteria, course outlining, common pitfalls and self-evaluation. Most helpful is the section containing sample questions and answers. By providing both good and bad answers, the student gets a sense of how to master any exam question. To write the illusive "A" answer, the student must distinguish relevant from non-relevant facts, spot the issues and apply the correct rule of law while interweaving the facts.

This book should be required reading not only for first year students but for anyone interested in improving his grades or in discovering why his grades do not reflect his intellect.



From left to right: Moot Court Finalists, Francesca Sabbatino, Robert Smith, Marc Lasry and Mitchel Kessler.

Bright Finish at Froessel

By Dyre Wolf

The annual Charles W. Froessel Moot Court Finals played to a packed house of onlookers and well-wishers Thursday night, October 28. Spectators witnessed a feisty battle between the teams of Marc Lasry and Mitchel Kessler, and Robert Smith and Francesca Sabbatino.

When the smoke cleared, Judge Edward Re, the Sultan of New York Law School, declared Kessler the victor by a unanimous decision. The crowd, bloated and docile after devouring mass quantities of wine and cheese, gave respectful applause. Finalists Lasry and Smith received the laudatory award of Best Brief.

The conclusion of the Froessel, always a breathtaking exciting event, proved particularly challenging this year. All three judges, Edward Re, Morris Lasker, and H. Lee Sarokin, were on top of the issues and at various times showed a thirst for blood that would make Klaus Kinsky blush.

Kessler, who dazzled the audience with his theatrical style in his opening remarks, quickly ran into an ambush when he cited as authority for his proposition At-

kins v. U.S., in which Judge Re dissented. Way to go Mitch!

Lasry, the first to speak, was so impressed by the judges' queries that he conceded almost all his arguments in light of the judges' poignant remarks. He sat down defeated with four minutes left to speak.

Smith, a musician by trade, is practicing trumpet more seriously these days. His steady professional style was not enough to spare him from a tail spin after a succession of rapid fire questions that would have reduced a lesser horn player to a heap of quivering flesh. Smith did manage to pull it out and finished very strong with a rousing summation.

Sabbatino was the only competitor to emerge from the fray relatively unscathed. She parried thrusts from the bench skillfully. She remained cool when the judges broke from their script and answered their own question, why is there standing? With, because there would be no moot court competition. Though Sabbatino's poised performance was not enough to win her a prize, she did get a hug from Judge Re.

Moot Court Strategy Changes

By Karen Schwartz

Seventy-four students in 38 teams participated in the Charles W. Froessel Moot Court Competition. Nearly a 40% increase over last year, this is the largest turnout ever. Mary Kates, the chairperson of the Moot Court Board, said, "We had hoped for 30 teams, so were delightfully overwhelmed." She attributed this growing enthusiasm to the changes made in last year's first year moot court program.

Ms. Kates, who is also the First Year Committee chairperson, said, "The Board has a tremendous commitment to the first year program. Too many of us didn't have positive experiences and felt it was unfair." In the past students have received virtually no background to prepare them for their oral arguments.

Last year, however, a representative

from the Moot Court Board spoke in every research and writing lab section and provided information on the techniques of oral argument to alleviate some of the terror. Ms. Kates acknowledged that "the administration and faculty have been very supportive, especially with the addition of Legal Methods to the curriculum."

The NYLS Moot Court Society sponsors two competitions each year. In addition to the Charles W. Froessel in the fall, which traditionally features a civil law constitutional question, the John Marshall Harlan is held in the spring, which involves a constitutional level criminal law problem. Both competitions are open to all NYLS students who have completed legal research and at least one full year of law school excluding summers.

NEW YORK CROSSOVERS

If a corporation enters into a contract to purchase real property and then brings an action for specific performance, must you discuss the law of corporations, contracts, real property, civil procedure and equity? How do you determine the real thrust of the question? What are the examiners really looking for?

This is a critical issue spotting problem which is endemic to the New York Bar Examination which treats the law as one integrated body of principles or rules.

New York essay questions often integrate several independent areas of law into one complex problem. This method allows the Bar Examiners to test an applicant on a great many of the 30 testable subject areas in only six essay questions.

Very few law students develop these practical issue recognition and analysis techniques during their academic training.

That is why almost 20 hours are devoted to problem integration and analysis during the Marino-Josephson/BRC course. No other course offers enrollees such extensive preparation in handling the New York exam's multisubject essay questions.

CONCERNED ABOUT NEW YORK CPLR?

For those students who want to learn New York CPLR before the summer bar review, the Marino-Josephson/BRC course will present this spring, *free* to BRC enrollees, a **Forge Ahead** lecture series on New York practice by Professor Arthur R. Miller of Harvard Law School.

Recognized as one of the finest teachers in the nation, Professor Miller combines wit and clarity of expression with total intellectual command of his topics. Co-author of the prestigious treatise Wright and Miller, **Federal Rules**, a widely adopted civil procedure casebook and the **Sum and Substance of Civil Procedure**, he is also a former editor of the Harvard Law Review and a present member of the American Law Institute. In addition, Professor Miller is regularly asked by the Federal Judicial Center to address Judicial Conferences across the nation.



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Music

Continued from Page 1

pened to them because they didn't know what was going on legally. We felt there was a need for this," Soocher said.

During "Why a Lawyer?," the first panel discussion, Sid Bernstein, a producer and promoter, stressed that point. "I could have been a millionaire, but I dealt with handshakes. In this business you don't deal with handshakes," he said. "If I had had a lawyer, it all might have been different."

Bernstein was the promoter who first brought the Beatles to America. He currently is producing the musical "Lennon" in addition to managing musical acts. After detailing his many stories of lost opportunities and deals made on a handshake or without good legal advice, he left the audience with a piece of advice. "Whichever side of the music business you work with, do not make the mistake I did. Get yourself the best attorney you can possibly get."

Attorney and co-owner of the Bottom Line nightclub, Stanley Snadowsky, said the primary function of a lawyer is to protect his client's interests. He has to make sure his client gets a contract that will work



"Why a Lawyer?" from left to right: Panelists Stanley Snadowsky, Sid Bernstein and Martin Silfen.

to his advantage. Snadowsky said that in the past too many performers signed con-

tracts without knowing what was in them and ended up with nothing. "Most artists don't realize that the music business is a business," he said. "They think music, but the business part of it is vital."

At a workshop on studio work and musicians unions, Mike Santiago, a professional musician and teacher, said "All you're interested in is getting your music out there. So that when someone says they're going to record you, it's a while before you may even think of all these problems. You're just worried about getting your music together."

The advent of video and satellite technology, cable television and other media areas has opened up new opportunities for musicians without legal advice to be exploited, according to Barry Platnick, an entertainment attorney with expertise in the new technology. Questions of how promotion videotapes will be used, and where and whether the artist will benefit are examples of areas about which professional musicians should be concerned, said Platnick whose clients include Joan Jett and Rachel Sweet.

Digital recordings, satellite technology, musical synthesizers that can sound like any instrument and increasingly compact video technology are examples of the rapidly changing world of the recording industry, according to lawyer William Krasilovsky, the author of *This Business of Music*. These changes will all have an impact on not only the way musicians make music, but in the ways they do business, Krasilovsky noted.

"Not only can lawyers look out for a musician's business interests but they can also offer advice on career moves and other business and personal decisions. "There must be close personal trust between the artist and the lawyer," Snadowsky said "If the lawyer is someone you can work with, someone good, then he can help you grow and benefit your career. It can be a mutually beneficial and helpful relationship."

Another aspect of the lawyer-client relationship was explored in a discussion about lawyer conflicts of interest. Attorney Martin Silfen, who also teaches entertainment law at Pace, Cardozo, and New York Law School, mentioned problems arise when a lawyer is also his client's manager or if he has money invested in his client's career.

"In a situation like that, where a lawyer may be pitting his interests against his client's," Silfen said "It may not be per se illegal, but it does smack of illegality."

Yoga: Ordering the Vital Force

By Will Hart

The way a person sits or stands reveals his attitude toward himself and toward the world around him. To maintain correct posture, therefore, is to cultivate an appropriate attitude toward oneself and the world.

Let us forget the scoldings we received as children by our parents who told us to "sit up straight." They were in effect, telling us that to sit as we were was being disrespectful to them. Our sitting up was in response to their position of authority, so naturally, when they weren't present, we sat however we pleased.

A whole revolution is going on today which goes against the attitude that our parents and teachers taught us to have toward ourselves. Children in western society are taught that correct posture means, "Chest out—stomach in." This admonition, however, reflects a wrong ordering of the vital forces, for it places the center of gravity somewhere in the chest. The result is a misplaced reliance on the will power as our vital force.

Reliance on the will in this way makes us top-heavy, placing emphasis on the training and discipline we receive from our authorities. The result is that we lose contact with our own center of being, which is located in the lower abdomen (what Zen Buddhists call, Hara.), and our self-esteem depends on how obedient we are.

We learn to respond to fear of failure and competition for motivation. We ignore our own desire for knowledge and the unfolding of our potential.

To sit in correct posture means to have the spine erect, the shoulders back and relaxed, to release the abdomen, and to put some strength in breathing from the lower abdomen (hara). By keeping the back straight, energy is allowed to flow freely up from where it originates at the base of the spine. A straight back also keeps the organs of the abdomen from being cramped and thus improves digestion.

Furthermore, by keeping the back straight we allow the breath to go deep into the lungs. A deep breath requires the diaphragm to expand and the abdomen to be pushed out. When we exhale the navel goes back in. You will notice that when someone become angry or passionate, his breathing becomes very rapid and shallow. But when you are relaxed or thinking clearly, breathing is slow and deep.

When you work have a positive attitude toward yourself and the world. See your work as an exercise for the awakening of your intelligence. Correct posture improves your attitude. As one Zen master, Shunryu Suzuki, puts it, "these forms are not means of obtaining the right state of mind. To take this posture is itself to have the right state of mind."

Gil's

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SPRING CONFERENCE

In 1980, L.A.W. successfully sponsored the Metropolitan Law Conference which attracted over 400 participants. L.A.W. plans to hold a similar event this spring and is in the process of selecting a theme and Steering Committee. It has been suggested that "Women In Politics" might be a relevant topic in light of the recent legislative attempts to curb women's rights.

There will be several organizational meetings to discuss the Conference in general. If you are unable to attend them and are interested in participating or have ideas, please leave a message in L.A.W.'s mailbox in the basement of 57 Worth St. and we will get back to you.

WOMEN IN THE COURTROOM

We would like to thank our panelists for their frank comments and the student body for making this event a success.

As a follow-up, L.A.W. NETWORK is trying to arrange for a workshop on Public Speaking for Women. Anyone who is interested or has relevant resource information should contact L.A.W. at 47 Worth St., Ext. 839.

STATUS OF WOMEN ON THE NYLS FACULTY

L.A.W. is presently compiling data on faculty employment practices at other metropolitan law schools with respect to their recruitment hiring of women. L.A.W. intends to compare this information with NYLS's present faculty employment procedures and make appropriate recommendations to the Faculty Appointments Committee.

L.A.W. views the lack of women on the faculty as highly suspect and urges the Faculty Appointments Committee to make

every effort to obtain a more equitable gender distribution on the faculty.

If anyone is interested in assisting in this investigation, please contact L.A.W.

CIBELLA BORGES DILEMMA

L.A.W. has had an ongoing interest in the fate of a woman who was suspended without pay from the N.Y.C. Police Department because nude photographs of her appeared in the July issue of *Beaver Magazine*. Her attorney Michael Vecchione has agreed to speak at NYLS on the issues involved in this case. Understandably, this must be after the interdepartmental hearing which is scheduled for November 1st. Hopefully, we will have Ms. Borges to give us the facts, Mr. Vecchione and a N.Y.C. P.D. representative to discuss the issues and one of our constitutional law professors to keep things cool.

NETWORK

It's been a tough semester and we could all use a break before settling down to study for finals. NETWORK had hoped to provide discount tickets to *Cloud 9* but none were available at reasonable prices. However, NETWORK is attempting to negotiate with "management" and will keep you informed.

Alternatively, NETWORK would like to sponsor some other type of social gathering. There will be a NETWORK meeting to discuss the endless possibilities. . . .

NETWORK also plans to have a program on "How to Deal with Stress" sometime before finals—watch for signs!

RAFFLE RESULTS

L.A.W. would like to thank all those who participated for their support and extends its congratulations to Brian O'Shaughnessy, the winner.

Library Notes

ANSWERS TO SUGGESTIONS:

As announced in the last issue, there is a suggestion box located at the Reserve Desk and we encourage everyone to make use of it. We also encourage human communications, so if you don't like the anonymity of putting a piece of paper in a box, please feel free to give your comments to any staff member. We would much rather meet and talk with individuals, but we want to promote communications on all sorts of levels.

All the suggestions we have received so far have made good points, and we appreciate people taking the time to make these comments. Those who indicated that they wanted personal replies can find them on the bulletin board by the Reserve Desk.

Many of the suggestions dealt with physical aspects of the library and we have followed through on all the burnt-out lights, broken clocks and stuck windows. The temperature in the library is a concern of many and we hope to be able to control the fluctuations, especially during the weekends. It was pointed out that some of the books and shelves needed cleaning "whenever a new Pope is inaugurated or every 10 years." We're going to try to do better than that.

These suggestions are valuable because many things have been pointed out that the library staff had not noticed. Someone asked for pencil sharpeners on

each floor. While there are sharpeners everywhere, some were inaccessible because of other physical changes in the library. These have been moved into open space. A number of people pointed out that there needed to be dictionaries on the eighth floor. This is true and they are now there. It is encouraging to get such good ideas which will help us make necessary, but overlooked, improvements.

The library furniture was the focus of some attention and all the fans of lounge chairs should be happy to hear that some comfortable, padded chairs are being added on the ninth floor. Those who were concerned about the torn carpets around the Reserve Area will notice that they have recently been replaced.

We are exploring some of the procedural suggestions further, such as taking I.D.'s at the Reserve Desk, relocating Shepard's, etc. A persistent problem seems to be the noise level throughout the library and one person was quite frustrated with the fact that people feel free to conduct lengthy conversations in the Reading Rooms while others are trying to study. The library staff will take a stronger role in maintaining quiet, but it is also necessary for people to speak up when they are being disturbed by talkers.

There are other suggestions and comments that will be addressed at greater length in this space. Please keep them coming.

Last spring students from the Pace Psychology Department conducted an experiment on New York Law School students. Half hours sessions for volunteers were arranged by Lisa A. Murphy, SBA president.

The purpose of the study was to determine what effect an attorney's physical appearance may have on juror decision-making. Prior studies have demonstrated that attractive people have been dealt with more leniently in courtroom proceedings and have been attributed greater credibility when delivering "testimony."

The study performed attempted to prove that physical appearance is not the only factor attributed to attractiveness. Dress, articulation, speed of speech and voice intonation are also important factors that must be taken into consideration.

The results from this study showed that attractiveness is an important variable for older community subjects and more so for younger students when making individual decisions.

Copies of *The Effect of Attorney Attractiveness on Juror Decision Making* are available through your SBA senator or executive board member.



From left to right; Professor Myers McDougla, START negotiator Robert Grey and Ambassador Gerald Smith.

Nukes

Continued from page

treaty and SALT II proposals, he noted that we should not forget Hobbes' warning: "Covenants without arms are poor things to protect society."

General Allison sensed that most of the symposium participants were opposed to the principle of deterrence and described himself as "a chicken in a fox-coop." Yet his views were supported by three other members of the afternoon panel: former Ambassador Gerald Smith, Robert Grey, Jr., Deputy Director of U.S. Arms Control, and Professor Myers McDougla of NYLS.

The afternoon audience seemed restrained while listening to these speakers defend the Reagan administration's policy of deterrence. Supporters of deterrence held their own. In fact, Professor McDougla provoked nervous laughter by commenting that he had "heard so much nonsense today that I don't know where to begin."

Those opposing the government's policy of deterrence spoke of the need for a moral revolution. Father Robert F. Drinan, a professor at Georgetown University Law Center and a representative of the Lawyers' Committee on Nuclear Policy, Inc., (LCNP), outlined several possibilities for the future. Nuclear cataclysm was one such possibility. "Do we want to go down in history," he asked, "as the nation which killed 200 million Russians? We are quite capable of it, by accident or intent."

One innovative alternative he suggested was a "revolution of humanitarianism" which would turn U.S. foreign policy towards a massive effort to feed the world. This would be "a different way to contain communism," said Father Drinan.

Four other representatives of the LCNP spoke at the symposium. They stressed the critical role lawyers can play in the disarmament movement.

Would you like to be the only law student in the country to serve as a liaison to one of the 45 ABA sections and standing committees? There are 45 liaison positions available for the 1983-84 academic year. To apply, you must be a member of the Law Student Division and be in good academic standing with at least one full year law school remaining as of September, 1983. For the position of liaison to a section, you must be a student member of that section. If you are interested in further details and requirements, check the bulletin board in A building or contact Kathy Golden in the SBA office at 79 Worth Street.

If there have been any problems with your ABA/LSD publications, please leave your name and phone number in the SBA office and a complaint form will be submitted. Also, health insurance forms and membership applications have finally been sent to us at New York Law School, instead of NYU. You can pick these up in the SBA office and the hallway of A building.

Membership in the ABA/LSD for New York Law School is at 43.2%. Third year students are urged to join the Law Student Division and take advantage of the \$8.00 membership fee to receive their first year membership in ABA FREE.

mament movement.

Tasks for lawyers would include hammering out legal reconciliations and negotiating arms control treaties. "But the most important thing for lawyers to do is to raise, in the legal context, the moral need to oppose nuclear war," said Peter Weiss, co-chairman of LCNP.

The LCNP has issued *Statement on the Illegality of Nuclear Weapons*. Based on such documents as the United Nations Charter and the Geneva Convention and on principles of humanity, the statement argues that there is "a sound basis for... criminalizing the manufacture, possession and ownership of nuclear weapons."

Doctors and scientists also raised the moral issue. The "Nuclear Fallout: Effects and Consequences" panel featured Dr. Bernard Feld, a physicist from the Massachusetts Institute of Technology and Dr. Morris Lipton from the University of North Carolina medical school. The panel emphasized the precarious position in which nuclear arms places the world and the impossibility of medically treating the unlucky survivors of a nuclear war.

Most of the participants of the symposium agreed with Professor McDougla at least when he said that the nuclear arms race poses "the greatest challenge mankind has yet to face. They counselled that disarmament talks should be resumed but disagreed as to the wisdom of deterrence.

Professor Saul Mendlewitz of Rutgers University Law School pointed out that the logic of deterrence has one crucial flaw. "It loses credibility if the possessor of nuclear weapons has no intention of using them."

"Deterrence is indispensable...until we can persuade the Russians that we have a common interest," responded Professor McDougla angrily.

National Lawyer's Guild

There is no better example of good being thrown after bad than the recent edition of the "revived" EQUITAS. If viewed as a discrete phenomenon, a modest eight pages of re-written course work and material from other publications, it is interesting, "full of facts," and even manages to be slightly provocative thanks to Duncan Kennedy. But, when viewed in the context of the NYLS community, it is at best a cheap shot meant to undermine the efforts of other students to establish a viable and representative student news publication.

Last spring, the SBA passed a resolution which effectively mandated that EQUITAS, an organization previously chartered by the SBA, disband. This action was taken after a good deal of discussion about how to remedy certain past practices of EQUITAS staff which violated important provisions of the organization's by-

laws. Specifically, it was brought to light that EQUITAS' editorial staff was elected in an abbreviated, unposted procedure which effectively barred full participation of the student body. When it became apparent that members of EQUITAS would not amend their procedures or allow review of their election practice by the SBA, the student government moved to create a new organization which would function in a more open and straight forward manner.

Notwithstanding their self-proclaimed status as protectors of First Amendment rights (re-printed from 1976), or the unconvincing attempt at seeming to be "progressive," it does not appear that the present editorial staff of EQUITAS plans to conduct business in a manner distinguishable from past practices. The edition's headline article, "Law Student Rebellion in the Eighties," was written by a

Guild member and published with the permission of the National office, yet the NYLS chapter was not contacted or informed. In fact, the recent edition was put together without any notification to this student organization. The NYLS Guild chapter assumed that EQUITAS, and the practice of censorship through omission, was a thing of the past.

It is necessary for the NYLS guild chapter to publicly dissociate itself from any inference that it might have been involved in the recent EQUITAS publication. We have supported the role of the SBA in determining student policy and continue to do so. We can not stand idly by while others seek to undermine this effort, especially when a provocative article by a member of the national organization is used to further questionable objectives.

Classified Personals

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BALLSA

Thursday October 28, 1982 this school was graced with more than an hour of poetic rapture by two living legends of the legal profession. Judge Bruce McM. Wright, class of 1950, and William Kunsler, renowned defense attorney came together in an unforgettable rendition of "theirs, mine and ours," each drawing from personal collections, collaborated works and works of and inspired by Dylan Thomas.

Over one hundred people stopped by throughout the course of the reading. The curious bypasser found as much magnetism in this dynamic duo, as those who had anxiously waited from the moment the news hit the school.

BALLSA took special pride, being able to present one of their most distinguished alumni. The afternoon held some-



Judge Bruce Wright, center, and William Kunsler, right with poetry fiend.

thing magical; one observer commented "this is deja vu, I have seen this event occur before." Although the levels of

mysticism varied, when this idyllic court adjourned, justice was had by all (poetic that is).

Brooklyn

Continued from Page

compromise with the school and submitted the copy for the second issue to an outside attorney for review. The attorney charged \$100.00 and will write a letter confirming that there was no defamatory material in the copy.

The current staff is not receptive to the review process. According to Steve Richards, another member of the editorial collective, the staff feels uncomfortable with the policy and views it as a sign of lack of trust in the staff's ability to spot possible defamatory articles. It is also inconvenient to have all the copy reviewed. Richards pointed to a possible conflict of interest if a story was about a faculty member.

THE COMMENTATOR of NYU has a liberal reputation but has no faculty ad-

visor. Merle Witkin, a member of the newspapers editorial collective, said that THE COMMENTATOR used to have a faculty advisor but did not know what happened to him. Occasionally articles generate a few angry letters, but THE COMMENTATOR generally has no problems. Ms. Witkin pointed out that most of the law school's faculty are members of the American Civil Liberties Union and this is perhaps why the newspaper has few defamatory problems. NYU's newspaper is funded mainly by the school.

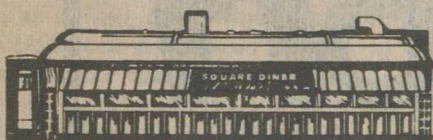
Fordham University's School of Law newspaper, THE ADVOCATE, is separately incorporated and therefore the law school is not responsible in any way for the newspaper according to Mardge Adler, editor-in-chief. She said that THE ADVO-

CATE is funded entirely from student bar association funds.

The New York Law School ADVOCATE has no faculty supervision either. The ADVOCATE was organized last spring and is an unincorporated association which is funded entirely through advertising. Derek Wolman, editor-in-chief, said that NYLS's administration did not want a faculty advisor for the newspaper because it would link the administration closer to the newspaper than it would like to be and thus increase the administration's possible liability in any litigation involving the ADVOCATE.

The LAW SCHOOL NEWS of Columbia University School of Law and THE FORUM of the Cardozo School of Law were unavailable for comment.

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