There is much concern among the NYLS administration and faculty over the American Bar Association's visit to NYLS this spring to evaluate its merit as an accredited ABA law school. The ABA evaluation committee visits every American Law School on a rotating basis, with approximately seven years between visits. Such a visit is not necessarily good news for the NYLS community. “We are very concerned,” said one NYLS faculty member, “that New York Law School will not be favorably reviewed. A loss of accreditation would be catastrophic.”

The pending visit was revealed to students at a student's organization meeting with Dean Bearn and Professor Samuels in late October. The ABA has requested a self-evaluation report from the school, with input to be provided from the faculty, administration, Board of Trustees, and student body. How student input is to be solicited is not clear. At the meeting, one student suggested that a questionnaire be devised and circulated to students. Professor Samuels, head of the school evaluation report committee, greeted the idea with interest. Dean Bearn, however, was not enthusiastic. She expressed concern that students would lambast the school with "pet peeves," so that the true merit of the school would end up being revealed, and this information would then have to be handed over to the ABA.

"Are you scared of what the students might say?" Dean Bearn was asked. "No," she said. "Yes," interrupted Professor Samuels. "This will not be a white-wash job, I assure you.

"Students are in a precarious situation," said one member of the Student Bar Association. "If we attempt to lambast the administration before the ABA committee, it will undoubtedly hurt all of us. And yet, I think that giving the administration a vote of confidence would violate ethical considerations. We get so many complaints from the students, and are faced with such an uncooperative attitude by the administration, that I believe things must change. If the ABA visit is the catalyst or the leverage needed to bring about such changes, well, we should closely consider our options."
George’s Challenge (Continued from Page 1)

Dean Scanlon and Ms. Robbins reported directly to Shapiro, but now they will report to George, in turn reports directly to Shapiro.

Commenting on his rise to his new position, George said, “I think it is a position that in an interim time had to be created, and that’s what underlay the faculty action. I’m not doing this out of any great sense of joy, but I think the school has to have it done. Since it is in the interest of the law school, I have undertaken it, because I think any responsible person would.”

Despite this being a new kind of position for NYLS, the accountability of the deputy deanship are not really new. George describes them as an amalgam of Bruce’s former associate deanship, plus some of Bearn’s responsibilities, as well as a few things that weren’t being taken care of at all. What it all boils down to, though, is that this is not a “deanship” in the true sense, but rather a restricted, circumscribed position which does not dictate new development in policy. George said his “responsibilities are policy implementing, not policy creating. The deputy dean is not intended to be some super cezar who comes in and sweeps clean everything that’s been going on.”

George’s primary role has shifted from faculty member to administrator. He explains the difference, “The administration is essentially there to execute or implement the educational policies generated by the faculty. The faculty, through the collegial action of their committee structure, set the major policy, goals and parameters for the law school.”

He said the creation of the deputy deanship is a major step toward integrating the administration as far as the ongoing to launch forth in developing massive new programs until the new dean is in office.”

Commenting finally on the students’ part in all this, George remarked, “The faculty works on the theory that the law school is a tripod, with the administrative personnel forming one leg, the faculty another and the students the third, and that if any leg of the tripod collapses, the whole structure goes down. I believe we try to respond to student concerns.

Naturally, sometimes we may be trying other things into the formulation than the student or group of students may contemplate, but we’ve got to make the same kind of faculty collective judgments that are made in other regards. But certainly, it’s not disinterest in, or, if you want to use a strong term, contempt towards students and their concerns. This is certainly not the faculty attitude. In so far as particular administrative decisions are made, I think this attitude will be manifested.”

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Where The Money Goes

The Budget Commission of the Student Bar Association has announced the following grants to official student organizations for the 1982-1983 academic year:

Bar - SBA $480.00; Chess Club $42.00; Criminal Law Society $215.00; Environmental Law Society $370.00; International Law Society $165.00; LAW $400.00; Lesbian and Gay Law Students $150.00; Media Law Project $200.00; National Lawyers Guild $350.00; and Phi Delta Phi $150.00.

The SBA funds the organization entirely by a percentage of food receipts from Gil’s. For any additional information concerning finances of the SBA contact Senators Mark Halpern and Dave Michales or Budget Commission Chairperson Joel Berlant.

Poll Voting Trickles In

In its last issue, the ADVOCATE asked N.Y.L.S. students to respond to some questions about just how bored they really are. Responses have been coming in slowly — thirteen to date — but a pattern is beginning to emerge. We’re just not sure what the pattern is.

Most of the students bored enough to fill out and return a newspaper survey are in their third year here. And the overwhelming majority of all respondents claim to attend class “somewhat prepared,” although four students do confess to skipping many classes. Almost everyone claims to make a diligent effort to get notes for missed classes. There is a general feeling that some professors do and some professors don’t encourage discussion, and most of the respondents occasionally participate in class discussions.

Almost half of the respondents say that they work full-time, and more than half are involved in at least one student organization.

The last two questions on the survey elicited the most varied responses. For “What do you do when you skip a class?” responses included: travel; stay home sick; work and study; hang out; and “when I’m not eating, writing articles or having wild orgies with exotic women from as far away as Cardozo Law School, I usually just drink myself into a stupor or go back to sleep.” And under “Comments,” this is a sampling: “I filled this out because Prof. Dent says he will be interested in seeing the results.” “This questionnaire has nothing to do with how bored the student body is: “I enjoy school”; “As a part-time student and working full-time — I feel as if law school has been as stimulating as a correspondence course”; and “At this point, I just want to get out of here.”
Interview: Practicing Immigration Law

by Adrian Calderone

Josephine Ferro Cuccia has been an immigration attorney for over 36 years. The Advocate recently interviewed her at her downtown office.

AC: How did you get started in the practice of Immigration Law?

JFC: My father always told me about law, how fascinating it was, how lucrative, and interesting. He became an administrative officer at Ellis Island and later an administrative judge. His anecdotes about his work led me to a fascination for this particular field of helping foreigners. After I graduated from law school I started to look for work. My mother said to me, "Hey, young lady, let's do something." We went to a building and picked out a name, Arthur Zale.

My mother and I went to his office and asked to secretary if any lawyers were needed. This piqued Zale's curiosity since female lawyers were scarce in those days. My mother told him, "Look, all I want to do is let her get some experience. You don't have to pay her. Money is not what we're after." So he hired me at the fabulous sum of $3.00 per week, told me that anything I won we would split, and he gave me all his garbage cases. He was true to his word and we did split. In a little while I started getting more and more of my own cases. It got to the point where I was taking more care of my own business than Mr. Zale's. We parted good friends and he still refers immigration clients to me.

AC: What are some of the differences between immigration practice and other types of practice?

JFC: Actually, immigration practice is all inclusive. You can sue the government for just about anything if an alien feels aggrieved. Immigration practice is a quasi criminal type of work because you have people who are apprehended and incarcerated. Fundamentally, it involves people who are deprived of their liberties. A major part of these people come into this country either as visitors, students, diplomats, or investors. They are in non-immigrant categories and come in on temporary visas. They are not allowed to work, but once they get a taste of this country they want to stay. So most of our work is in applying administrative remedies to keep them in the U.S.

Once we have succeeded in obtaining a "green-card" for them and give them the opportunity to stay in this country they come back for every other type of legal help — marriages, buying a house, divorce, lawsuits, etc.

AC: There's been much criticism of the Immigration Service for discriminatory practices. Have you encountered much in your practice?

JFC: I think there's been a big change in the way they do things. So most of our work is in applying administrative remedies to keep them in the U.S. Long ago the biggest influx was from Europe. Now people are coming from South America, the Orient, all over. Since there is such a disproportionate influx of illegal immigrants from Latin American countries, say, than Europe, the number of aliens apprehended will reflect this. The immigration courts administer the law pretty even-handedly and don't favor or discriminate against any particular group.

AC: What can you tell us about how the new law will affect your practice?

JFC: The new law will be more restrictive. It will take away the 5th preference category which include brothers and sisters of U.S. citizens. It will severely limit the 2nd preference by eliminating unmarried sons and daughters of resident aliens from eligibility.

AC: Do different immigrant groups present different problems to you?

JFC: Yes, for example, Chinese and Japanese generally fall into two categories. One group is composed of those who already have family members in this country. They are usually working men — cooks, waiters, servants. The other group are those trying to keep one foot in China and one foot in the U.S. They are people who have done very well in Taiwan as professionals or business men, but who fear a communist takeover. So they want to transfer their funds here and keep their options open.

From South America we get mostly poor people who are trying desperately to escape poverty. We are getting a lot of clients from Yemen now. They invariably leave their wives and daughters in Yemen, but they try to bring their male children here. Their attitude towards women is vastly different from that of American males.

AC: What qualities lead to success in this field? What advice would you give to students thinking of entering immigration practice?

JFC: Well, as for training, obviously speaking a foreign language like Spanish, Chinese, Italian, or Japanese is a big help. The qualities which lead to success in Immigration are the qualities which lead to success in anything else. My philosophy is "never take no for an answer." You have to find some way to present the facts and the law to get what you want. My father used to say to me, "Young lady, walk straight and tall down that street and be able to spit in anyone's eye." He meant to keep it clean. Keep it straight. And never forget that a lawyer is an officer of the court. But don't take guff from anybody.
Editorial

Cohn's "Law"

Professor Blecker succeeded in raising the blood pressure of his evening Jurisprudence class recently by inviting his friend and colleague Roy Cohn to speak to the class.

Cohn inflamed passion by making what many perceived as racist remarks. After stating his opinion that the verdict in the Hinckley trial was a travesty, he explained that this was the result of Washington D.C. juries the members of which Cohn classified as a "bunch of morons." Asked if he felt that the jury members were morons because they were black, Cohn went on to explain his view that white victims could not get a fair trial from a black jury because of racial bigotry similar to that of white juries who decided cases with black victims in the old south.

Blecker said he invited Cohn, well known for his machiavellian views of law and politics, as a living example of the anti-philosophical, amoral lawyer. He refers to this as the "pragmatic" view of law and considers Cohn to be its prime exponent.

Cohn no doubt has the credentials for the job Blecker assigned him. He has been referred to as a legal executioner, the toughest, meanest, vilest, and one of the most brilliant lawyers in America. All descriptions seem to end with the proviso, don't mess with Roy Cohn. Whether amused by luck or design, Cohn relishes his reputation.

Blecker said he was pleased with Cohn's performance though he disagreed with his opinions. It is clear, though, that both enjoy shocking the sensibilities of law students by voicing outrageous views. Blecker may have succeeded in charging his students emotionally. He says he hasn't seen his class so involved in any topic all semester, but was the heated debate Cohn provoked really one of alternative theories of law? It seems rather to have been over Cohn himself, his racial prejudice and his often contempt for any theories pertaining to the law as something more than a set of obstacles to be overcome by hook or by crook.

It is a disservice to students to present such "pragmatic" views of law as any kind of law at all. Blecker defended his invitation to Cohn declaring that the classroom should be an open forum.

It may be more enlightening and productive if Blecker conducted his jurisprudence class by debating the merits of one philosophy of law over another. We can all accept that the law has some purpose and design. We need only discover which purpose is proper and which design most effective.

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Letters

Partners In Peace

To The Editor:

I feel that I am especially qualified to comment about Soviet perceptions of the Soviet peace movement, arms control and the military, since I lived in Russia and I worked in the Soviet Union for three years. I was married to a Russian dissident and lived with his family in Moscow, actively participating in dissident activities during those three years.

During the Nuclear Symposium's morning session, I became discouraged with the panelists' lack of understanding of the Soviet government's attitude towards nuclear disarmament.

I told the panel that when I returned from three years in the Soviet Union I was afraid that the Russian government had a broad disregard for human life. The panel reacted emotionally and never confronted the issue.

I returned from the U.S.S.R. with the frightful impression that the Russian government is far more willing to send its troops into war than the Americans. The Russian government is not receptive to demonstrations; when the decision to send soldiers to was arises, the government cares little about public opinion nor the lives that may be expended. While there is a peace movement in the Soviet Union, it is small. Historically, the Russian people have sat back placidly and allowed events to happen. One need only recall the long reign of Tsarist Russia and Stalin's purges. Even the revolution was instigated by only a select few, and the original revolutionary ideals were quickly diluted. Today people indulge in helplessness. As one person told me, "sure this government is cruel, but what can you do? This is my motherland and you do what you must to be comfortable."

With this mentality present, it is doubtful that the peace movement will grow. And if it does grow, it is doubtful that the government will listen.

The country is inundated with militaristic slogans. Everyone knows about and criticizes the government's hypocrisy, but many will participate in it to get ahead. While the United States is not an angel and American foreign policy admittedly has serious problems, the mass psychology of only blaming Americans is dangerous. I would trust the Americans over the Russians.

I am in support of a freeze; the consequences of a build up are devastating. We must begin somewhere to stop it. In the end, an understanding of Soviet perceptions may not get us too far. However, we must be well informed about the issues and not support the freeze blindly.

S. Friend.
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.
Library Notes

Recently, a few suggestions have been made that we restrict eating and drinking in the library. These comments have focused on the adverse environmental impacts of having food around — namely, the smells, the noise and the debris. These are legitimate concerns that must be addressed. Admittedly, we have been extremely tolerant about eating and drinking in the library, with the hope that people would keep these activities within reason and clean up after themselves. Unfortunately, it seems that the library is in danger of becoming a substitute lunch room, a messy one at that.

We are concerned about making the library a pleasant place to study and do research, and must seriously consider whether our permissive policy about food is hindering this goal. At this point, we would like to get the opinions of more individuals: is this a serious problem to everyone or just a couple of isolated complainers? Whether or not we make any policy changes, it is clear that individuals must be much more considerate when bringing food or drink into the library and be aware when their activities are annoying or disturbing others.

Along the same line, there is a general consensus that the noise level in the library has reached the point of being intolerable. It has been correctly pointed out that nearly everyone, students, staff, and faculty, has been careless and inconsiderate by speaking loudly, having conversations in the study areas and generally behaving in a manner inappropriate to a library. We realize that we are operating in cramped quarters and there are few places available where people can gather to talk, but the library cannot be used as a student lounge. It is particularly important that people practice restraint and consideration during exam periods. The noise problem is a very serious one, and we will do all we can to make the library quieter.

A disturbing incident occurred recently that is worth bringing to the attention of everyone. We have been bringing more artwork into the library and have placed many pictures and prints throughout the building. One print of particular historical interest was recently discovered to be missing and is presumed to have been stolen. This theft is so disturbing because these items have been placed out in the open for the enjoyment and information of all the students. We hope that this was an isolated incident, since we had planned to get more works of art on loan from museums and individuals. We would like to feel that we can bring such special displays into the library without having to worry about security problems.

On a more positive note, in response to a number of requests, we have extended the library hours on Sunday mornings and are now opening at 10 a.m. In addition, the week-end hours will be extended until 11 p.m. in the evening during exams.

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