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Students Discuss Common Problems At Law School Leaders Conference

The problem of student apathy, student complaints about the case system of study, and the potential applicability of Clinical Legal Education were the major topics of discussion at a recent meeting of New York Law School leaders. The meeting was held under the auspices of the New York State Education Commission on Higher Education.

According to Professor David Bator, who was present at the meeting, the discussion centered on the need for a more active role for law students in the decision-making process of the law school. He noted that the student body is often left out of important discussions and that this can lead to a lack of involvement and apathy among students.

Professor Bator also mentioned that the law school is currently exploring the possibility of implementing Clinical Legal Education, where law students would work on real-world cases under the supervision of practicing lawyers. This would provide students with hands-on experience and help them to better understand the practical aspects of the law.

In addition, the meeting discussed the issue of student complaints about the case system of study. Some students have expressed frustration with the amount of time and effort required to prepare for case exams, and there is a feeling among some that the case system is outdated and no longer relevant.

The discussion also touched on the potential benefits of Clinical Legal Education, which could include a more practical approach to legal training and a greater emphasis on problem-solving skills.

The meeting was attended by faculty members, administration, and student leaders, and was facilitated by Dr. John V. Thornton, President of New York Law School.
JOSEPH KAIN
AND LEONARD KATZ

Mayor Lindsay recently announced the resignation of City Investigation Commissioner Robert K. Ruskin, who is returning to private practice. At the same time, Lindsay named Ruskin's successor, Special Asst. U., Mr. Anthony Scoppetta, who is now investigating corruption charges in the office of the General Services for G. U. Attorney Whitman North Seymour.

Scoppetta began his career on the staff of District Attorney Francis Hagan, where he was counsel for the Kings County grand jury.

LAUGED BY MAYOR

The Mayor said he was accepting Ruskin's resignation from the highly sensitive post after he had been appointed and lauded him for doing an outstanding job. Scoppetta, who was appointed by Mayor Lindsay in 1968, is quitting the 87,700-employee job because of competing interests.

In the nearly three years he has been in this top job, he has launched many investigations which have resulted in dozens of convictions of top public figures and in the indictment and conviction of individuals and companies involved in the City's largest graft scandals in recent years. In 1969, Ruskin in a joint investigation with Special District Attorney Burton Roberts exposed a $22 million Medicaid fraud involving the Rugby Tailoring Firm of the company's principals and five city officials were indicted.

ALUMNI DINNER

Continued from page 1

The Law Forum is looking forward to the publication of Christmas of its Symposium on Sports Law, and its fourth issue, which will treat a variety of subjects, including the Federal Criminal Procedure Code, Zoning, Copyrights, Patents, Trademarks, and Taxation of Charitable and Cultural Organizations. We would like to remind every student that he is entitled to a copy of the Forum, available in Room 604, the Forum office, where we would like to encourage Alumni to subscribe to the Forum, and EQUITAS publishes a form below for this purpose. Any interested Alumni should fill out the slip and mail it to the N.Y.U. Law School, 59 West Street, New York, N.Y. 10013.

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BY FREDERICK H. WILSON

Mr. Ruskin is joining the law firm of Baker & Marks, with which he has been associated for many years as a senior partner.

In resigning, Ruskin had high praise for his deputy, David Dozen, whom he recommended to Lindsay as his successor. Lindsay, however, named Scoppetta, although he acknowledged that Dozen's work had been "an unqualified success." "I had to make a difficult choice," Lindsay said.

STARTED AS U.S. ALDE

Ruskin was graduated from New York Law School in 1965, began his public career as an assistant U. S. Attorney in 1933 and, in 1959, took over as chief counsel to the State Investigation Commission. He became a Deputy Investigation Commissioner for the city in 1965, and in 1968, he was married to Lois Lindsay, succeeding the Mayor's first-appointed, Arnold G. Pollock, now a State Supreme Court Justice.

"I have been宠 in nearly three years he has been in this top job, he has launched many investigations which have resulted in dozens of convictions of top public figures and in the indictment and conviction of individuals and companies involved in the City's largest graft scandals in recent years. In 1969, Ruskin in a joint investigation with Special District Attorney Burton Roberts exposed a $22 million Medicaid fraud involving the Rugby Tailoring Firm of the company's principals and five city officials were indicted.

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The Power Game

by LORIN DUCKMAN

Football may be in new book Power and Innocence, but the five different kinds of power explored are applicable not only to law school, but also to business, politics, family, and cottage industry. These are: exploitative, manipulative, competitive, integrative, and nutrimental. While the existence of these dispassionately outlined, their positive uses are not

Simply taken, exploitative power is used when power subjects one without power and is identified with force. The school is doing its best to educate you (nutrimental) and finally, bring the student back into the Student Faculty Alumni Committee (integrative).

Certainly it is painted for pro-

fessors or even the Dean to hear criticisms cast at their insti-

tution. I feel they ignore the fact that my comments are aimed at strengthening rather than destroying the school. I am not selling them a favor by informing them that certain classes are overcrowded or that certain professors have alienated students. I don't ask that the faculty be fired or the books be

regarded. I don't threaten stu-

dent strikes or student gradua-
tion. I only question the educa-

tional purpose as an informed consumer.

Student government, espe-

cially the Student Faculty Alumni Committee, is ineffective. There is no cooperative power between students and administration. Students are coerced into co-

operation by silencing criticism (manipulative), by bribing entitled citizens (exploitative) and by forbidding the need that critics have for learning a legal system (competitive). To those on the outside, they will continue to give a picture of legal tranquility. To those on the inside they will supply an opportunity for growth. I am providing you with a note because we have the capability to clean it.

Competitive power is power against another. "In its negative form it consists of one person grabbing out of necessity to pro-

tect a weak ontology or exer-

cised over those who have be-

come members of their own free will (thou-saying to these members further exercise of this freedom of choice). For example, "American love it or leave it," or, "No one forced you to go to school and cease to be a member of the school.

Integral power is power grabbed outside of necessity to pro-

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come members of their own free will (thou-saying to these members further exercise of this freedom of choice). For example, "American love it or leave it," or, "No one forced you to go to school and cease to be a member of the school.

Nutrimental power is one power to another. "It is the power that is given by one's care for the

other. . .At its best, teaching

is a quasi-judicial function. A

prosecutor must always realize he is in a legalistic function, some of whom are innocent, and pet caught up in a system be-

yond their control. It's the innocent man." The next step for an A.D.A. is strictly private, and even the general public is not present when the group votes, after each presentation, on whether to hand down an indictment. The staff trials on the next day with the next case only after the jury foreman sounds a buzzer, indi-

cating that a decision has been

reached. This signal is heard in the adjoining office, known as the "Witness Room," where those who must testify about that day's cases -- including eye-

witnesses, technical experts, and arresting police officers -- will be called.

Serious Business

There is a dynamic quality to

this room, an air of smooth pro-

duction and a sense of orderliness. To those who must testify about that day's cases -- including eye-

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FAREWELL AND WELCOME

Along with students, faculty, alumni, staff and friends of New York Law School, EQUITAS extends to Judge Charles W. Froessel our deeply-felt ni, staff and friends of New York Law School. His contributions to the development of this school (and, we might add, of this newspaper), his unwavering dedication to its improvement in every area both physical and academic—these have been myriad, fundamental, and unique.

At the same time, we welcome Mr. John V. Thornton to his challenging duties as the new Chairman of the Board of Trustees. As he himself acknowledges in an interview elsewhere in this issue, his predecessor's good work is a tough act to follow, but after a decade of service of his own on the Board, Mr. Thornton seems ready, indeed anxious, for the rigors and rewards of the job.

Still, even in welcome, the constructively Critical Eye does not dwell. While we are on the subject of being anxious over a new job, we must add that scores of NYLS seniors feel that way, too. We therefore suggest that a crucial priority for the new Administration be the expansion of our Placement services. As Chairman Thornton recognizes in the previously-mentioned interview, "the job market for young lawyers is much more difficult than it was a few years ago." We hope that the understanding of the problem will translate into further effort in this critical area of student concern.

CLINICAL EDUCATION: POTENT WEAPON IN THE FIGHT FOR JOBS

More young lawyers than ever before are looking for jobs at the time when both private firms and government agencies have severely curtailed hiring. Question: what can NYLS students do to put themselves in a more competitive situation?

The possible answer is to put two things to work for them: a 4th year of clinical education and the possibility of receiving some class credit. As Mr. Thornton recognizes in the aforementioned interview, "the job market for young lawyers is much more difficult than it was a few years ago." We hope that the understanding of the problem will translate into further effort in this critical area of student concern.

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NG: NYLS ON PAR WITH OTHERS

REPORTER'S COMMENT

After analyzing all the dates for the scheduling reports, I have come to the conclusion that New York Law School's calendar is approximately equal to that of all other area law schools with the exception of Columbia, which has the only radically different schedule in the area. NYLS students attend classes a week longer than Columbia Law School students. Some feel that this extra time places us in a serious disadvantage in the spring semester, i.e., job-market-wise. It should be noted here that Columbia has a reading week immediately preceding their one week of exams. NYLS has a two week period immediately preceding Columbia's exams before they break for Christmas recess. Those wanting the exams before Christmas argue that they can enjoy the rest with a clear head. But, they have only one week in which to prepare. Those arguing for exams after the Christmas break want the extra time to study.

The measure of worth of an academic calendar is how it serves the needs of the students. The value depends upon what one looks for in such a calendar. If one is looking for an early vacation, he adopts an academic calendar which gets his work done in the minimum amount of time. However, to spread the reading week, so as not to burden the students and to spread exams over two weeks, to give the students more time to prepare and do well, another type is needed.

BROOKLYN NYU FORDHAM HOFSTRA ST. JOHN'S COLUMBIA

JUDGES SPEAK TO STUDENTS

As part of Phi Delta Phi's speakers' program, two judges recently addressed students about problems concerning their courts. On October 25th, Judge Seymour I. Laskri of the Civil Court of the City of New York, Upper East Side County Branch commented for the first time on a brilliant and comprehensive discussion of the Civil Court's jurisdiction. He then spoke of the advantages of the new Housing Part of the Civil Court, the methods employed in residential landlord and tenant, and gave some tips on trial presentation. He concluded with a spirited question-answer period.

Clifford Court of Claims Judge Joseph Modugno spoke on November 2nd. His talk centered on the jurisdiction and operation of the Court of Claims. Refreshments of wine and cheese were served after the conclusion of both talks.

REPORTER'S COMMENT

On a recent morning, the front page of the New York Times featured the following conflicting headlines: West: Soviet Soldier and Bloc to Talk on Celling Forces; Russia is too ready. Pepel-Olestra Plant; Rogers says U.S. Will go to Talks with Cuba. Unhappily, on that same morning, there were several little-known, less hopeful stories: 2 Die in Clash with Police on Staten Island Bridge and in a remote Asian City, a 4, 2, 5 Girl Dies of Drugs; Hasbrouck Heights Man found in Cellar of White House.

This situation is but strikingly revealing juxtaposition of position and negative situation, the contrast of the disturbing dichotomy between a certain international subversive foreign-policy outlook, and our neighbor's domestic atmosphere. This philosophical schizophrenia affects the American people through their President, Mr. Nixon is unwilling to apply to domestic issues the same intense zeal he devoted so steadily and so successfully to the conduct of international relations. Indeed, he has been widely quoted as believing that the nation is overwhelmingly ready to run foreign affairs, that a competent Cabinet could run things at home. This two-headed but one-sided view has deflected the people, aggravated their demoralized mood, and discredited the self-esteem.

Richard Nixon is the man best suited to the mood of the American people in these times. But is it a mood in which a president should be asked to govern the nation? There are limits to how far things can go without burdening the people, as Mr. Nixon is asking us to be asked.

Although the personality has been described as mercurial, public diffident, Mr. Nixon is a consummate politician, a man more professional and potentially influential way than Lyndon Johnson, reputed master wheeler-dealer and behind-the-scenes political magician, ever was. His political acumen surpasses Mr. Johnson's almost unanimously been sensitivity toward the gut feelings of the American people (the less discerning) majority. For example, Mr. Johnson's realization that racial fears had spread from the working class (where the majority of his detractors and neighborhood situations had long ago stirred racial tensions) through the usually more liberal upper-middle class, so he took up the artificial and deceptive anti-busing cause. This is a contrived issue, because it obscures a cloud of emotion in the real one, which few politicians are willing to confront.

Are we, both black and white, willing to seriously commit ourselves to true economic cooperation and integrated neighborhoods, with local schools, the local streets and the local job market, would be naturally integrated? Do we still believe the government can pay for the urban problems, the leadership response of the nation? If government has acted similarly on other domestic issues.

Let us face that the subject of the earth, the President knows that every post-war era has brought about much speculation and conflict, because it has been seen as much extension. But he saw another chance to reach the majority of the President to respond to a system that is captiously finding itself hopelessly addicted to a policy of aggression. The President is clearly aware of the validity of much of the criticisms and apparently is going to take a step toward self-examination. Indeed, the President has seen such compassion expressed, and he might adopt an academic calendar to respond to a system that he has apparently improved the spirit of International (or at least his) cooperation. Certainly we expect a politician to act like a politician, but President should also be something more.

A final and most curious aspect of Mr. Nixon's self-portraying as Mr. Ad- ministration's harassment of the press. The suborning of the press by the government's harassment of the press. The suborning of the press is not unprecedented. He has used similar tactics to subvert the practice of the United Press (or at least his) cooperation. Certainly we expect a politician to act like a politician, but President should also be something more.

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The brothers and sisters of Delight welcome our new pledges to membership in the Inn. For the first time, first-year-first term students have been admitted. Brother Inn at Columbia has also admitted them this year. Among the questions asked of each prospective pledge at Chambier for the Fall initiation was, whether or not they would be willing to work on one of our committees. They all exhibited a refreshing positive attitude toward this question and a most optimistic degree of enthusiasm toward promoting the goals and ideals of Phi Delta Phi. They will have a choice of working on any of the following committees: SPEAKERS, TOORS AND COMMUNITY SERVICE, POLICE OBSERVERS, PLACEMENT, THEATER PARTIES, GROUP SEMINAR AND THE SPRING INITIATION, which is sponsored by Barristers Inn and will probably be held in April.

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Judge Discusses Contempt At Advocacy Seminar

By RENEE SACKS

Judge Timothy Murphy of the Superior Court of the District of Columbia and Jay Schwartz, a criminal attorney from Racine, Wisconsin and Jay Schwartz, attorneys cited for contempt in recent years at the ABA's Criminal Advocacy Seminar which was held here in New York in November, Judge Murphy discussed contempt from the judges' point of view. He cautioned his audience that they were dealing with a basically inaccessible group of people.

Most judges are not to be judged because they were active in political life or active trial lawyers. Judges come from the same background as the lawyers in front of them, but now they can't play. Once a lawyer who thought on his feet, a judge is now required to think sitting down. The transition isn't easy for many judges.

A lawyer turned judge has to sit down for the first time and listen for the first time. He has to listen after he's already made his decision. He has to endure obnoxiousness. You have a weapon over the prosecution, but no power at all over the "human" lawyer in political cases. You have some power over the appellate attorney.

If a judge is to maintain order, he has to have power to maintain an orderly process, which meant that a judge's inherent contempt power is confined by statutes. The BINDER case, the judge said, contained that counsel can strike hard and fair blows, but the BINDER case that counsel can be obnoxious without going out of bounds in contempt.

There are standards for delivery of defense lawyers, Murphy asserted. They can be defined any way the appellate court wants. What is objectionable to one judge is contempt to another.

SUMMARY CONTEMPT

If the attorney is cited for summary contempt, the judge must determine the record. He must decide the act, if it occurred is contempt. It must specify the act that made it necessary for him to take immediate steps; otherwise, the contempt will be reversed. A lawyer can get another judge to preside at a contempt hearing if he can show to the judge that the judge himself is contaminated by his contemporaries or that it was in an adversary position.

If the judge waives the attorney has a good chance of having it heard by someone else since

ORDER is to ask a question here. Judge Murphy said that having another judge hear the contempt was a mixed blessing. A chief judge could assign his least judge to hear all the contempt cases he pointed out. Also, judges tend to stick together because they never knew what the position was going to be reversed and a contempt hearing from their courtroom would be heard in front of the judge from whose courtroom the question has come to him.

The ABA wants a grievance committee to deal with contempt questions. The record along with a letter would be sent to the committee. Judge Murphy felt that in many cases the sanctions imposed by the ABA would be harder than those imposed presently.

Judge Murphy urged all attorneys to have them in the courtroom at all times, the ABA standards for judges.

CONTEMPT: A DEFENSE ATTORNEY'S VIEW

Jay Schwartz, a criminal lawyer from Racine, Wisconsin presented another view of contempt.

Schwartz pointed out that civil lawyers are rarely held in contempt. He supported judges who were reluctant to take on big firms. Prosecutors, too, are rarely cited.

Frequently, the criminal lawyer's problem, Schwartz asserted, is not his behavior in court. The judge may not like the way the lawyer is dealing with witnesses who are part of the town's establishment. He may not like the fact that the cop is lying, the witness telling the truth.

WHAT IF YOU ARE CITED?

If it's a one-shot and the lawyer is defending traditional clients, he should go for a reversal of the record or do you want to try to get your client off on a trial level? Most people charged with crimes, he noted, were not as enthusiastic about reforming the American criminal justice system even in being acquitted. A judge must tell a lawyer whether he's in civil contempt (interfering with the rights of other parties) or criminal (interfering with the rights of the court).

If the attorney does decide to make a record, he must attempt to make the record as good as he can. He has to present another view of contempt.

Other reasons for the rise in the number of attorneys cited for contempt that Schwartz discussed were the rise in the number of unpopular causes handled by attorneys which threatened and antagonized the establishment judges.

There was also what Schwartz called the image problem of the court.

JUDGES are the minority group. They are often more prone to interpret vigorous defense as contempt. Judges are very upset if the defense attorney interferes with the calendar. Acts of contempt go to the heart of the respect the court is entitled to, not just messing up the calendar.

Judge Murphy and Attorney Schwartz agreed that it was important to know the judge, to know the applicable cases and make a careful record.
I start this article with a bias. It is the bias of having dealt with adults as an adult and then realizing I was being treated as a child incapable of deciding my own needs and future. The result? A cavalier disregard for my goals under the guise of childish explosion of rage I now realize I was being treated as. It must be voiced to that phantom driver. The source of my outrage is this: In the final semester of an education designed to award a degree which will place me in the peer group of most of the faculty, administration and Board of Directors, I (and all graduating students) have been told that another course is now required for graduation. This

Reason for Stand

The problem is more far-reaching, though students must maintain substantially the same curriculum as day students. Although in the past there has been variation (judges, of Criminal Justice was required of Day Students only), 4-E must now also take Creditors' Rights. This charitable act has worse repercussions among some 4-E students. Those who have given up their summers to lighten their load during the school year may now find that in order to graduate they must carry a heavy 11 credits in their final evening semester.

Quick Reactions

Some students saw the squeeze play coming and realized that they might graduate with 85 credits (0 required for graduation). They stamped to shorten their current load by dropping an elective. But, two enterprising future officers of the court beat them out, Murray Gordon and Barry Selph (who coincidentally is a 4-E class rep) felt the change in the wind and dropped their current elective. This tipped off Dean Rafalko; he made an ad hoc decision to prohibit all further schedule changes. Now, the unforeseen observer would ask, how can this be? What are the rules governing schedule changes? NYLS gleefully replies, Aye, there's the rub! There are no rules. Arrangements were made to allow graduating students to take current electives. Dean Rafalko has proposed to recommend at the next faculty meeting that Creditors' Rights be Optional, Optional does not mean elective. The Dean defines this uniquely NYLS phenomenon as the exception that decisions are made affecting the student body without knowledge or apparent concern for our needs and goals.

As writer of the Equitas Alumni column and victim of the Games NYLS Plays I believe that any student or recent alumna knows whereof I speak. The unresponsiveness, the lack of any authority figure with actual authority, the failure to recognize that education of students is NYLS' only role and that the interests of those students must be given priority, are primarily responsible for NYLS' bastard image among students and the legal community. The lack of accountability coupled with the desire to self-perpetuate while not making waves has resulted in a stagnant pool. That phantom driver sets the mood and direction for the rest of the bus. Baby, if the rule is bad, you'll never get back. Worse yet, you'll tell the world. And if the day ever comes when people aren't willing to go to just any law school, that phantom driver will look back and find the bus empty.

The Dean's proposal concerning Creditors' Rights was approved at the faculty meeting of Dec. 4- 5.)

Student Conference

Continued from page 1 books a semester can save over $100.00 for a three year period. At the conference Fordham Law School formally offered to allow the other metropolitan Law Schools to join their co-op, each law school would produce a list distributed that interested students would sign. This list was then forwarded to Fordham for ordering and processing the required texts.

Syracuse Law School seems to have attacked the problem a little differently. There, a legal Fraternity runs a used book store. A 10% service charge is levied on each book sold. Last year the students netted themselves $2,500.00.

Correction

In the last issue of Equitas in the Law Forum News story the last sentence of the second paragraph should have read: invitation is on the basis of grades and final selection of staff members is on the basis of the comments which they write.

By Linda Nelson