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New York Law School

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# EQUITAS

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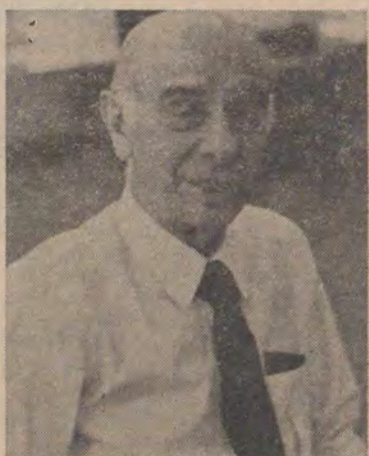
## 12 NYLS Participants:

### N.Y.S. A. G. Lefkowitz Holds 17th Summer Intern Program

by Jim Pagano

For the seventeenth consecutive year, State Attorney General Louis J. Lefkowitz has staffed the Department of Law with law internes during the months of June, July and August. The program has a two-fold purpose. First, it gives law students valuable experience. Second, it lightens the work load of the men and women on his staff.

New York Law School students were again well represented. Twelve out of the over 125 students so employed were from our school. They are listed below, beside the Bureau in which they served.



Attorney General Lefkowitz  
Photo by Butch O'Connor

- |   |   |
|---|---|
| 1.) Rodd Baxter Consumer Frauds & Protection      | 9.) Joel Schoenfeld Special Projects              |
| 2.) Jaimisine Burke Consumer Frauds & Protection  | 10.) Richard Strauss Consumer Frauds & Protection |
| 3.) Arthur P. Fisch Securities                    | 11.) William Tally Special Projects               |
| 4.) Alan Fraade Litigation                        | 12.) James Tricarico Consumer Frauds & Protection |
| 5.) Sandra Krevitsky Consumer Frauds & Protection |   |
| 6.) Joseph Latwin Anti-Monopoly                   |   |
| 7.) Jules Levin Estates & Trusts                  |   |
| 8.) James Pagano Consumer Frauds & Protection     |   |

Four of the students, Mr. Fisch, Mr. Fraade, Mr. Pagano, and Mr. Strauss, are repeat performers from last year's program.

The students were assigned to work closely with an Assistant Attorney General. They assisted

in field investigation, legal research, public hearings, mediation, trial preparation, and litigation. It was made quite clear that clerical work was not to be the assignment.

In an exclusive EQUITAS interview, Attorney General Lefkowitz said of the program:

"... The program has become popular, and students from all parts of the country apply... They get practical day by day chances to see a law office in operation. It's very different from law school."

This reporter found the experience to be invaluable. The students enjoyed the program because they were treated as if they were attorneys by the Attorney General and his staff. Many of the attorneys went on vacation during this period and the students took over many of their duties. They were given a wide latitude of discretion in the handling of their caseloads. There are 26 Bureaus within the Department of Law.

In the Bureau of Consumer Frauds & Protection, for example, Bureau Chief Barnett Levy found it profitable to assign cases directly to the students. The students handled these, in addition

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### Stormy Employment Picture Makes Placement Job Tough

by Jim Tricarico

Despite today's stormy economy and rising unemployment rate, the placement office of New York Law School is determined to push forth a comprehensive placement program for both students and graduates.

According to Assistant Dean Margaret B. Bearn, director of the placement office, "the primary function of the program is the funneling to the student body information on part-time positions for day students as well as full-time posts for evening students." There is also an attempt to find summer jobs particularly for second year students. These, hopefully, may lead to permanent positions upon graduation.

One phase of the placement operation is to obtain interviews with private law firms for members of the graduating class.

A source close to the program has disclosed that some firms "will only bother to seek interviews from a few schools around the country, with little hope for New York Law School graduates at this time."

However, Dean Bearn said, although certain firms will not set up definite appointments, there are many requests for resumes from top students which may lead to an interview.

"These requests," she said, "come from prestigious, well-known law firms."

A "top student" may range

from the top 10% and Law Review, to the top 25% of the class, she added.

Government agencies as well as the large corporations have also been contacted in an effort to set up interviews.

In dealing with the smaller firms, Dean Bearn said "these firms do not hire until there is a need to fill a position. Thus students should not send resumes to these firms until late winter or early spring. It is difficult to find a small firm that is looking for someone, and even more so where a single practitioner is concerned, as their needs are limited."

Dean Bearn pointed out that New York Law School graduates have been rather successful in finding employment in the various government agencies based in the city. Also, she indicated, a number of these agencies have had an open door policy for part-time work during the school year and full-time during the summer months.

Last spring the New York Law Journal published a booklet with resumes of those graduating students who had not gotten jobs. However, those students who had jobs at the time of publication did not submit a resume.

This year, the list is to be published in October. This earlier date will help create a better picture of the talent offered by the class of '75. It will also come

(Continued on Page 3)

### N.J. Gov. Gets Hon. Degree As NYLS Class of '74 Grad.

by Diane Iushewitz

The class of '74 graduated on Sunday, June 9th, in ceremonies held at Town Hall. The commencement address was delivered by Judge Owen McGivern, Presiding Justice of the 1st Dept. Appellate Division, who was also the recipient of the honorary degree of Doctor of Laws.

Judge McGivern used the opportunity to give the graduates some practical advice, urging them "not to be afraid to make mistakes," reminding them "when a Judge makes a mistake it becomes the law of the land." He also told them to try a case at least once, and do it early in their careers, saying if they don't, it's "like not having lived."

Receiving honorary degrees along with the Judge were Hon. Brendan T. Byrne, Governor of New Jersey; and two NYLS trustees, Walter M. Jeffords, Jr., Chairman of the Board of Northern Utilities; and Samuel J. Lefrak, President of the Lefrak Organization.

Four students graduated Magna Cum Laude: Allan Goldstein, Barbara Papir, Stanley Rothstein and Carl Stahl. Graduating Cum Laude were: John Brunetti, Theodore David, Andrew Dwyer, Howard Eison, Jeffrey Gurren, Isaac Klepfish, Michael Kopcsak, Alan Leibowitz, David Ledy, Carol Mellor, Esther Milsted, Paul Montclare, Thomas O'Leary, Alfred Pafe, Jr., Barbara Prager, Michael Rahill, Susan Schiff, Stanley Siede, James Steen, Victor Tannenbaum, and Stephen Weiss.

Prizes were distributed to many students. A special touch added to the ceremonies was the appearance of two of our own students, both Rabbis.

Rabbi Mark Offer gave the Invocation, and the Benediction was offered by Rabbi Shlomo Bellis. This year's ceremony was quiet and dignified. It started on time and ran smoothly. Judging by the happy faces of all who attended the graduation, it was a huge success.

### Worst Fears of First Year Student Allayed by SBA Run Orientation

by Ed Sanocki

Law school orientation began a day early for me. While my bus was en route to New York from Ann Arbor, Michigan, I worked up enough courage to sit next to a rather attractive girl who seemed to be grappling with some problem that deeply troubled her. She wore the type of countenance that one normally associates with final exam week at most colleges and universities. Could anyone be worried about school this early in the year?

My curiosity totally got the best of me, so I awkwardly started the conversation by inquiring if anything was wrong. Indeed, as I had originally surmised, college was the cause of her problems; law school in fact. She had been attending classes at the University of Pittsburgh School of Law for two days and was now returning home for good.

When I explained to her that

I just happened to be on my way to New York Law School, she groaned and offered a number of caveats as to what I could expect. It seemed that several factors were responsible for her decision to quit law school so suddenly; and these factors, she assured me, were typical of all law schools: 1) the faculty assigned prodigious amounts of homework in an attempt to "weed-out" a certain percentage of the first-year class; 2) the students were terribly antagonistic toward each other; and 3) the general atmosphere was one that reeked with arrogance. Few upper-classmen would condescend to help an incoming student.

Naturally, this little episode had a profound effect upon me. As I entered the orientation session at New York Law School on the following day, my thoughts quickly reverted to what had taken place on the bus. I walked to my seat expecting to

hear the worst; it struck me that perhaps my law school career

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### DAVIS APPOINTED



Dean E. Donald Shapiro, in an exclusive release to EQUITAS, has announced the appointment of Professor Anthony Davis as an Assistant Dean at NYLS. Dean Davis will be Assistant Dean and Professor of Law. On Page 10 of this issue we have reprinted a story about Dean Davis which was written by editor-emeritus Renee Sacks.



## OUTLOOK

**Dress Code: For Women Only**

Frances Brown Salten

Some months ago, *The New York Times* reported that Chief Justice Warren Burger had announced a modernization of the dress code for "attorneys." Morning coat and striped trousers are no longer required; business suits are now the standard. For "women," "pants suits" are frowned on.

If business suits are required, why may not women attorneys wear business suits, with either pants or skirts, according to their preference? Why does a woman's choice as to whether to display her legs concern the Chief Justice?

Apart from shedding light on some of the weighty matters that occupy a Chief Justice of the Supreme Court, this astonishing dictum — for it is only dictum — brings into focus, better than some decisions have, that this Court is not prepared to extend the fourteenth amendment's equal protection clause to every person, and that the Equal Rights Amendment is therefore absolutely essential if women are to attain a position equal with men.

However, in deference to Professor Means' peripatetic soliloquy in last year's Constitutional Law class, as he sonorously persuaded even the last quaking feminist that the amendment most assuredly does not deny that women are persons, a more precise statement is required. Because women are persons under the fourteenth, they may have standing to allege denial of equal protection. It is only then that they may run into Catch-14, for equal is not always equal. There is a His equal and a Hers equal; a double standard of justice not lightly to be tossed aside.

Only four Justices could see that sex is a suspect classification, *Frontiero v. Richardson*, 411 U.S. 677 (1973.) And what more constant reminder to attorneys and Justices alike that women are to be treated as a different (lower) caste than the requirement that women disclose their legs at oral argument? Will this help the Justices to concentrate because they will not be distracted by wondering what is hidden? Not for nothing does feminist literature remind us that in most cultures the clothing of the ruling caste always covers a significantly larger body area than that of lower castes.

What is the importance of clothing? It tells something about the wearer's self-image, and therefore ought to be self-chosen. At Brooklyn Law School faculty women wear slacks or skirts as they choose.<sup>1</sup> Does our women faculty's daily leg display indicate that they are skirting the issue of a possible policy of conformity or censorship, explicit or implied, at our school?

Certainly the rumor mill has it that female students have been spoken to by those in authority about the "unfemininity" of their choice of clothing. (I see nothing in the Code of Professional Responsibility about the "femininity" or "masculinity" of clothing; nor, except for Indiana,<sup>2</sup> do the bar examinations even remotely deal with the subject.)

Our hats are off to Professors Means and Hochberg. Summer school students might have seen them in open-throated, short-sleeved shirts and Bermuda shorts, in and out of school — secure in the knowledge that theirs was not the duty to look like attorneys, since they had not been hired to act in a play. They recognize it as their duty or privilege to share their brilliance and knowledge with those who come to acquire legal insight. And a second hat off to Professor Hochberg, who does what he thinks is right (and sometimes it is right) without a moment's thought about his lack of tenure.

The battle for freedom must be constantly refought. I have heard talk that some judges are upset if Legal Aid attorneys appear before them in dungarees. I am much more dismayed by Jack Newfield's disclosures in the September 26th *Village Voice*, "The Next Ten Worst Judges," which describes insulting, irrational, abusive and prejudiced behavior on the part of some judges, often directed at Legal Aid attorneys.<sup>3</sup>

Is it no longer true that one is always appropriately clothed if one is clothed in virtue?

1. Brooklyn Law School's Dean boasts that they have the largest percentage of full-time women faculty members of any law school in the nation.

2. Indiana has been infamous for almost a year now be-

**Older Students Form Caucus**

Dan Henry, 2D, and Frances Salten, 3D, co-presidents *pro tem*, announced at Orientation the formation of a new student group, the Older Student Caucus. The Honorable Charles W. Froessel has consented to be its sponsor.

The group's goal are: 1) To insure an equal admission standard without age discrimination. 2) To promote advantageous placement for older graduates. 3) To make available to school, to administration, and to student body some of the expertise acquired in former careers. 4) To provide an opportunity for younger students who wish to work for the good of others at the same time that they are sensitizing the community to one problem they may themselves face in the future (ageism).

On October 2, the Older Students Caucus, Day Division, held its first meeting. Many ideas for the year's activities were offered, including a citywide conference inviting older students from other law schools. A notice will be prepared for future incoming students to help them with their pre-entry problems. An Evening Division will be set up as soon as some student volunteers to organize it. Next meeting, with Professor Eiber, faculty member, will be held Tuesday, November 12, at 12:30, room to be announced. Thereafter, meetings first Tuesday of each month, same time.

## SBA PRESIDENT

**I'M NO COP**

Joel Weinstein

I can't begin to tell you how distasteful it is for me to be playing cop. Yet, it seems one of the duties that came with the job of SBA head is to be in the center of the Great Smoking and Garbage Fiasco. While the notices on the walls seem to be so easy to disregard, memos from the Dean suggesting severe disciplinary actions (which, at a minimum will cause trouble with the Character Committee) are extremely difficult for me to ignore. I feel as awkward making excuses for flagrant disrespect of well publicized rules as I do asking my friends to please obey them. I seem to be the man in the middle. "Who does he think he is?" inquire the eyes of friends. Well folks, I'm the guy who gets those memos. I'm also the guy who sees the holes burned in brand new carpets. Above all, I'm the guy who KNOWS the Dean is damn serious about cracking down on the situation.

Maybe, I keep telling myself, people just don't understand the magnitude of this situation. So, let me explain . . .

First, we are deeply interested in acquiring something called AALS accreditation. There will be a swarm of AALS inspectors during the next few months. I'm not sure that they rate us on tidiness. The effect, however, of walking into our lobby, basement, or even classrooms during peak filth periods can not exactly endear us to the clipboard Clou-



Joel Weinstein

seaus. If it appears that we have little regard for NYLS, how can we realistically expect others to have a better opinion?

Second, not all of the "powers" supported these renovations. There was resistance to the expenditure, which explains the lack of improvements for so long. If things don't get better soon, we'll only be casting votes for the "I told you so" contingent.

Third, the garbage substantially increases the burden on the maintenance people. When they're cleaning, they're not doing other things that we require of them, like running the elevators. Thus, one problem spawns others.

Fourth, disciplinary actions will cause bad vibes and interfere with several positive things we're trying to accomplish, including the effective development of a dozen new student-faculty committees.

Fifth, is it so ridiculous to expect law students to follow a few rules? Provident or not, disregard for these rules will not make them go away. It only puts the administration's back against the wall, and it's foolish to think that they can't or won't react.

If I really knew how to motivate people to change their habits, I'd call myself a guru and go make a bundle. Unfortunately, all I can do is appeal for your help in correcting the situation. Please. If I'd wanted to be a cop, I'd have gone to the Police Academy.

**PHI DELTA PHI TO AWARD \$100 SCHOLARSHIP**

Later this month, Phi Delta Phi will award a \$100 scholarship and Scholarship Certificate to a high ranking student who has completed between 30% and 60% of the requirements for graduation, and an identical award to a student who has completed 60% or more of these requirements. To be eligible, the student must be a member of Phi Delta Phi, and have given service to Dwight Inn and to the school. In case of a tie, the award will be divided. This is an annual award.

**Letters to the Editor**

## To The Editor:

At the LSD meeting in Chicago, I had the opportunity to meet students from most of the law schools in the country. Inevitably, discussion turned to physical plant, especially the library. I always knew that we had an excellent library, one that exceeded all ABA and AALS standards, but I never realized just how well off we were. Most other schools do not keep their library open as many hours as we do. At many schools, students do not have the free access to stacks that we enjoy. With the great improvements being made, we will truly have a first rate library.

Ronald Goldfarb  
3d Yr. Day

## To The Editor:

As different minorities at school identify themselves and band together, nonsmokers,

though in the majority, now wish to do the same.

It is our intention to see that No Smoking signs are placed prominently in every room, so that newcomers will know the fire regulations from the outset. It is shocking to see a student put a cigarette out on the carpet.

It is one thing to smoke, and another to disregard the rights of others. People who aspire to be attorneys ought to be especially sensitive to the rights of others.

If you will let us know when you would find a meeting most convenient, we will arrange for a date and a room.

Ron Goldfarb  
3d Yr. Day

Diane Iushewitz  
3d Yr. Day

Frances Brown Salten  
3d Yr. Day

cause of its outrageously sexist, humiliating question starring Clytemnestra Toris, known for short as guess what.

3. Judges never appear in dungarees; they wear black robes, befitting their dignity. Yet two years ago Newfield wrote about New York's ten worst judges, without exhausting the list. Four judges in New York are now awaiting criminal trials for corruption. It would seem then that the legal profession may have more important concerns than dress.



## First Year S.B.A. Rep.

### ELECTIONS

Each section (A & B) is entitled to five S.B.A. representatives. Evening also gets five.

A simple nominating petition with 10 signatures must be placed in the S.B.A. mailbox on Monday, Oct. 14. The list of nominees will be posted by October 16.

Short speeches and balloting will take place on Monday, October 21 as follows:

Section A: 10:00 (Civil Procedure)

Section B: 1:00 (Contracts)

Evening: 6:00 (Torts)

Each class member may vote for 5 reps.

Results will be posted by Wednesday, Oct. 23.

Joel Weinstein  
S.B.A. President

## Opening Soon Our Own Official

### NEW YORK LAW SCHOOL

in our new building at 47 Worth Street

## Book Store & Snack Bar

5% off on all  
law study materials

case books  
textbooks  
notebooks  
dictionaries

law cassettes

restatements

law review books

expanded hot and cold menu

low prices

superior quality

comfortable table

seating, F.M. radio

PLUS

All Your Other Needs:

Stationery, rings, sweatshirts, T-shirts, etc.

Join *EQUITAS!*



# SCHOOL CLOSINGS

due to snow and other weather emergencies will be broadcast by JOHN GAMBLING 5-10:00 AM. The WOR news department will provide continuing reports on storm progress plus bulletins on hazardous traffic and road conditions from Helicopter 710



## Phi Delta Phi Plans Semester Activities

New York Law School's chapter of Phi Delta Phi will be undertaking a full complement of activities during the fall semester. The semi-annual dinner dance, tentatively scheduled for early December, is now in the planning stage.

Phi Delta Phi, for the information of new students, is an international legal fraternity with chapters at over one hundred law schools. New York Law School's chapter, Dwight Inn, under the leadership this year of Magister Ron Goldfarb, fulfills certain social, cultural, and educational needs peculiar to a commuter school such as NYLS. Interesting and informative speakers are brought to NYLS under the aegis of Dwight Inn. The Professor of the Year is elected each spring by the mem-

bership. Professor Koffler was last year's award recipient. The leading social events of the school year are the dinner dances sponsored by Phi Delta Phi. Additionally, Dwight Inn functions as a school service organization. Members serve as orientation counselors in the fall, and graduation ushers in the spring.

All students are invited to become members and participate in the activities of Dwight Inn. Notice of meetings and events will be posted throughout the building. Meetings are rather lively affairs, customarily punctuated by the intake of wine and cheese. All are welcome, and the officers and members of Phi Delta Phi look forward with pleasure to the renewal of old friendships and the initiation of new ones.

### EMPLOYMENT ...

(Continued from Page 1)

out at a time when more firms are hiring.

Dean Bearn reminds all graduating students to submit resumes to her administrative assistant Mrs. Esther Cognato in Room 201. The office will then send copies to those firms in which the students have shown interest and for which they qualify.

Also new permanent notice boards will be installed in the main hall of the 57 Worth Street building. There are temporary notice boards there now and these must be checked daily, particularly by third year students. Those interviews which have been set up for students will be posted about one week in advance.

### OLD CATALOGUES WANTED

Do you have any old NYLS catalogues?

NYLS would like to add these catalogues to the historical collection of our library, it is especially important as we are considering having a history of the law school written.

If you have any old catalogues of NYLS please contact:

Prof. Andrew Simak —  
Librarian

New York Law School  
57 Worth Street  
New York, New York 10013



## Equitas Editorials

### No Whitewash

One need only cross the threshold of 57 Worth St. to know that change has taken place. The smell of paint, the sound of workmen, the tacks left behind by the carpet installers are evidence of the cosmetic changes taking place at NYLS. But this is no whitewash. Substantial changes have been made in the internal operation of NYLS. New courses, new professors, a new curriculum are further evidence that Dean Shapiro is well on his way toward accomplishing the goal of making this the foremost urban law school in the United States.

Another step in that direction is AALS accreditation. An inspection team from the American Association of Law Schools will be at NYLS shortly as part of the accreditation procedure. Accreditation will bring added prestige to our school. It is a benefit which will accrue to past, present and future graduates. We owe it to ourselves to make the best showing possible when the AALS visits our school. This includes adherence to smoking and eating restrictions.

### Better Book Service

It is getting increasingly more difficult to remember the time when you couldn't get a freshly brewed cup of coffee or a freshly made sandwich at the NYLS cafeteria. In a short period of time Gil's Sandwich haven has become an integral part of the NYLS scene. Well you ain't seen nuttin' yet folks!! We have had the opportunity to see what Gil is planning in our new building at 47 Worth St. A spanking new paneled cafeteria which will be serving hot food as well as the current line of sandwiches. Of greater interest to us however is the fact that Gil will be operating a new

NYLS bookstore. Beginning with next semester all required texts will be available at our own school. With NYLS being the only school Gil has to be concerned with there is hope that we will be able to have all of our texts before the third or fourth week of the semester.

We wish the new cafeteria and bookstore the best of luck. EQUITAS urges all of the student body to patronize our own facilities. As an inducement we understand that the NYLS bookstore will be offering a five percent discount on textbooks and all other study materials.

### Air The Grievance

Disputes have arisen in the past years between students and members of the faculty regarding grades and examinations.

While we recognize the question of academic freedom involved in asking that all examinations be screened before students be subjected to them, we also recognize that this is an area in which a problem exists.

Perhaps the solution involves two separate areas. A faculty or administration group could set up guidelines to be followed by professors to insure that examinations adequately and fairly cover the course material. Another and perhaps more important

area involves the establishment of an adequate grievance procedure under which a student could appeal his/her grade. It should be recognized that in such a procedure a grade could, of course, be raised or lowered. It seems self-serving for a professor to review his own examination and the grade he/she gave a student.

We would like to see the administration investigate the possibility of such a grievance committee. It might go a long way toward pointing out areas where students have legitimate gripes which bear correction, or those instances where the complaint is just sour grapes.

### Too Many Caucuses

We are amazed at the proliferation of CAUCUSES at NYLS in the past years. Not too long ago there were none. Soon we will need all ten fingers and maybe a few toes in order to count them. We wonder if they all are really necessary. While we recognize the necessity for certain minority groups to have official spokespersons, we wonder if every splinter group which decides it is being discriminated against

should, without having to observe some formal chartering procedure, be entitled to funding, room and an official voice. The question of which organizations are official and recognized seems to us to be governed by the SBA and the SBA Constitution. We would welcome a definitive ruling from the SBA representatives as to how this matter should be handled.

#### POINT OF VIEW

### TOO MANY MEMOS

Arthur P. Fisch

I have begun to wonder if the Dean is going to find it necessary to walk up to each student in the school and inform him or her that there are rules which prohibit bringing food into classrooms and which bar smoking in areas other than those designated as smoking areas. Two notices already have been posted — the second twice as long and considerably more emphatic than the first.

Dean Shapiro is a great believer in treating graduate students in a law school as responsible adults. I have begun to think that he is in for a rude awakening. I also am annoyed that because of a few irresponsible individuals we will all end up being treated like uncaring irresponsible juveniles.

For those of you who think that a miracle is going to happen upon graduation from the law school which is going to imbue you with the maturity and responsibility you will need to compete successfully both as a lawyer and as a person — forget it! If you haven't got it yet — you had better start working on it quickly.

Fortunately this is not directed at the great majority of NYLS students who realize that they have a responsibility to their school, to their fellow students and most importantly to themselves to act as responsible adults. And these students realize that what they do reflects upon how they will be able to cope with life outside our hallowed halls.

I find it hard to believe that a fellow student would walk into the library, take out a law review article which just happened to be on the exact topic assigned by his/her professor, copy that law review almost word for word and then hand it in to the professor as a completed term research paper. As an aside, did I mention that the student, to cover his/her "tracks," also ripped the pages out of the book? Couldn't happen here? Ask the "graduating" senior who had to take the course over, did not graduate and who will probably find that a certified record of the above mentioned activities will make admission to the Bar in New York a very difficult proposition. Were the decision mine to make, that student would never even have the chance to take the Bar Exam. He or She should have been expelled on the spot.

For those of you who think that bringing that cup of coffee up to the third floor doesn't come close to being the same as plagiarizing a paper or ripping a page out of a reporter you are very wrong. They all are irresponsible acts — the results of the acts and the consequences may be different but they all have a striking similarity.

The newly painted and carpeted classrooms were won by the Dean from the Board of Trustees after many hours of negotiation. How does it look when the Trustees walk in and see stains on week-old carpet caused by an accidentally spilled cup of coffee which didn't belong in the room? How does it feel for a member of Prof. Simak's library crew to have someone come over and ask where they can find another copy of this case which is assigned reading but which someone has cut out of the reporter. How does it feel to a person to whom cigarette smoke is a health hazard to walk into a room where smoking is barred by regulation and find a half dozen people blowing smoke and putting their cigarettes out on the carpet?

If you don't want oppressive regulations and faculty discipline committees, wise up. If all of us take the time to do a little self-evaluation and realize that the rules which still exist at NYLS are there to make our environment a comfortable place for all of us to live. Unreasonable rules are quickly changed by the current administration. (i.e. attendance taking)

The laws we do have have been formulated so that all of us who are part of this law school community can live together with the least discomfort to one another. It isn't even really necessary to refer to the specific wording of the rules and regulations. Common sense, a sense of decency and a sense of responsibility are all you need.

GET INVOLVED . . .  
JOIN A STUDENT  
ACTIVITY.



# Classes of '77 & '78 Welcomed at Orientation









# TO THE CLASS OF 1974



ERNEST J. ANTON



ROBERT M. GARDNER



ROBERT M. GARDNER



DONALD M. MONTAGNA  
Class President



PHILIP MONTAGNA  
Class Vice President



JOHN H. GARDNER  
Class Treasurer



GEORGE A. BERMAN  
Class Secretary



THEODORE A. SMITH  
Class Editor



RENÉE S. SIKES  
Class Editor

## New York Law School

CLASS OF 1974

Brewing Division



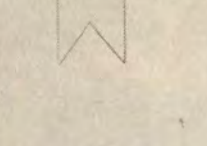
ROBERT C. BEERS



JOHN J. BROKHUZZI



LESTER R. UHLM



FRANK P. BOBLES



JOHN J. BROKHUZZI



LESTER R. UHLM



KATHY J. COFFMAN



JAMES R. SOTTLER



EDWARD H. CAMPBELL



JOHN J. DONOHUE



ROBERT M. SIKES



THOMAS W. DAVIS



KENNETH F. COOPER



JOHN LAWRENCE



THOMAS J. STECHER



ERNEST SMITH



MARTIN J. MARINO



MARVIN S. GIBBY



JAMES E. MALLEN



ALFRED R. PAPE JR.



RONALD J. SORIANO



ROBERT E. ROBINSON



MARVIN S. GIBBY



ALFRED R. PAPE JR.



JOHN J. DONOHUE



JOHN J. DONOHUE



SHARON D. DANNA



GALLEN H. GIBBY



ALFRED R. PAPE JR.



JOHN J. DONOHUE



JOHN J. DONOHUE



ARTHUR J. PAPAN



GALLEN H. GIBBY



ALFRED R. PAPE JR.



JOHN J. DONOHUE



JOHN J. DONOHUE



ARTHUR J. PAPAN



GALLEN H. GIBBY



ALFRED R. PAPE JR.



JOHN J. DONOHUE



JOHN J. DONOHUE



ZELI F. RABINOVICH



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# ***NYLS Class of '74-Graduation, June 9, 1974***





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# English Barrister Appointed As NYLS Assistant Dean Davis Will Continue to Teach

by Renee Sacks  
Editor Emeritus

Anthony Davis was happily living in England when he got an offer from Dean Shapiro to teach at New York Law School. Like many others who have been the objects of the dean's persuasiveness, Davis decided to accept the invitation and to come to the United States.

## A Barrister's Education

Davis is a graduate of Trinity Hall College of Cambridge University, which, he said, was traditionally a lawyer's college. Once, it taught canon law primarily, but today, of course, it produces lawyers for a secularized world.

"Cambridge," said Davis, "is one of the most beautiful places on earth, and going there was a marvellous experience."

Before Cambridge, Davis went to Tonbridge, a public school.

"Americans frequently want to know whether the grimmer myths about English public schools had any basis in reality; alas, many of them were only too true. There used to be a kind of institutionalized viciousness with the younger boys acting as the servants of the older ones and quite completely at their mercy. There really were bullies, beatings and the rest."

"But along with this, went the most wonderful kind of educational experience. My last two years at the school were spent under the guidance of two extraordinary masters. One couldn't have gotten a better education."

## Reforms

"Though I hated school at first, I began to like it when it became intellectually stimulating. Also, I must admit, many of the 'horrors' have gone. Reforms have been initiated, not only in my school but in most public schools. A new headmaster was appointed while I was there, and the school changed quite drastically under his guidance."

"And, awful as the system might have been, there was a reason for it when England was an Empire and a world power. Those

who survived it, and there were many who didn't, were self-contained — their affective life had been almost totally eroded — self-reliant and very decisive. These were all handy traits to have if you were going to be sent at quite a young age to some remote colony far away from family and friends. However, it's all totally irrelevant for the second half of the twentieth century."

"After Cambridge, I received a fellowship at NYU Law School as a Criminal Law Education and Research Fellow, and got my M.A. there. That's how I first met Dean Shapiro. He was teaching a course there too. Then I went back to England and did my pupillage."

## Pupillage

Davis grinned, "That's another quaint English custom. It's like an apprenticeship. You must work for a practicing member of the bar for a year. You shadow him — do all his paperwork. You can't take any cases for the first six months; then you can take small ones. You don't get paid as a pupil, mind you. As a matter of fact, you have to pay a fee of £100."

## English vs. U.S. System

Comparing the systems of England and the United States, Davis said that he likes the idea of a divided and specialized bar (solicitors and barristers) because he feels it leads to greater efficiency. He is aware, however, that the English system, encrusted by venerable traditions and ancient ceremonies is in need of a certain amount of overhauling and modernization.

For example, all of the chambers in London (offices of groups of barristers) are required to be located within the precincts of one of the four Inns of Court.

"This was all right when the number of barristers was stabilized at 2000, but there are now 3000. There is a surfeit of work, but not enough available space for the additional members of the bar."

Comparing other aspects of the systems, Davis also likes the Eng-

lish "Costs Rule," whereby the losing side pays all the expenses of the winning side, including reasonable attorney's fees. He thinks it makes people think quite seriously before they undertake litigation and that it discourages frivolous and "spiteful" litigation.

As for American practice, Davis observed that it seemed to churn up even more paper than the English system did.

"In England, all argument, even before the highest court is oral. You don't hand written briefs to the court. At home, a 'brief' is what a solicitor gives to a barrister — it's just an outline of the facts. The court delivers its opinions orally too, although sometimes in a complicated case, it will reserve judgment and write an opinion, but even then, it is always read out, never handed down except in the House of Lords."

Davis thinks one of the most fascinating aspects of American law is the effect of the Constitution on Criminal Law.

"I think I've become a sort of gypsy," said Davis happily. "I don't think I could live in only one place now, I'd like to live in England part of the time and in America part of the time. I've found that I really do enjoy teaching. 'Perhaps, I'll have to add a third country later on,'" he says. He is only half joking.

"One doesn't like to tempt the fates by trying to say just what one is going to do with the entire rest of one's life or predicting just where one is going to be twenty years from now, but for the foreseeable future, I feel quite comfortably settled in. I like living in New York. I like America and I like Americans. My wife is an American."

Reprinted from EQUITAS, April 10, 1974

# Founding of NYLS; Born in Turbulence

by Arthur D. Friedman

NYLS was born in a turbulent era of legal education, and it was founded by a set of men who had very definite ideas about how best to educate lawyers.

The conflicts of the era were two, of which one has recently returned to the forefront of speeches and articles about legal education. One conflict was whether it was better to train lawyers by the treatise method (a.k.a. — the "Dwight method") or by the case method. Today this conflict has been almost universally resolved in favor of the case method. The second was whether law school should last two years or three.

Before 1891 Columbia Law School was a two year law school which utilized the treatise method under the strong influence of Professor Dwight. About that time legal education was revolutionized at Columbia when the curriculum was expanded to three years and the case method of instruction was adopted as a transplant from Harvard Law School. These changes met with

strong resistance from the faculty and student body. In fact, 2/3 of the second year class at Columbia in 1891 refused to return for their third year and withdrew from law school. The most famous of these "drop-outs" was Benjamin N. Cardozo.

A group of graduates and professors of Columbia Law School set about to establish a competing institution to perpetuate the "Dwight method." Thus, on June 11, 1891, the State of New York chartered The New York Law School. Professor Chase was to be dean and devote full time to the new law school. Professors Petty and Reeves were to devote time as well, and practice law part-time.

The school was to be located in downtown Manhattan at 120 Broadway, on the eighth floor of the Equitable Building. The courses of study was two years and the class hours were arranged for the convenience of employment in the local law offices. Up to World War I NYLS became the largest law school in the United States having an enrollment of almost 1000.

# A. Scanlon Appointed Administrative Ass't

by Diane Iushewitz

Since the first of July, more and more people around NYLS have been heard saying "Ask Tony Scanlon." Tony's job as the Dean's assistant involves working in non-academic areas — general administrative matters. Prior to joining NYLS, he was working on a Ph.D. in Modern European History at the University of Chicago. Deciding he'd be happier working in educational administration, he left Chicago and came back to New York.

In an experimental program at the City University of New York, Scanlon had earned both a B.A. and M.A. in history in four years.

While most of his courses were at the C.U.N.Y. Graduate Center, he also attended Hunter College. At Hunter, he founded the first legal aid program for commuting students in the country, and was President of the Student Body. Tony also served as Chairman of the Board of Directors of Hunter's closed circuit T.V. station, and was Vice-Chairman of the C.U.N.Y. Student Center.

Why NYLS? Tony explains there have been very few times when schools have undergone such dynamic changes as are taking place now at NYLS. NYLS, he says, "is an exciting place to be right now."

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## Schlesinger '73 Appointed by Lefkowitz

Mr. Steven H. Schlesinger, New York Law School, Class of '73, has been appointed as a Deputy Assistant Attorney General by New York State Attorney General Louis J. Lefkowitz.

He has been assigned to the Bureau of Consumer Fraud and Protection.

## Marine Midland Promotes Two NYLS Graduates

Barry J. Horowitz has been promoted to vice president in the credit administration and specialized lending division of the international banking department at Marine Midland Bank-New York.

Mr. Horowitz was an assistant vice president since May, 1973 when he began at Marine Midland. Previously, he was a manager at Price Waterhouse & Co.

He holds a BA degree from Pace College (1961), an LLB degree from the New York Law School (1966), and is a CPA, certified in New York and New Jersey, and Attorney-at-Law in New York.

He is a Hazlet, New Jersey resident.

Stuart Kratter has been appointed a commercial banking officer, loan and credit administration, of Marine Midland Bank-New York.

Mr. Kratter, who was previously an assistant secretary at Chemical Bank, holds a BA degree in economics (1967) from Hunter College and a JD (1972) from New York Law School.

He lives in the village of Suffern, New York.

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## Equitas Gets Honorable Mention:

# ABA Law Student Div. Announces Winners of Three Annual Contests

Cumberland School of Law of Samford University and the University of Florida School of Law are double winners in this year's contests sponsored by the Law Student Division of the American Bar Association.

Cumberland won the Class B competition for "Outstanding Student Bar Association" and "Outstanding Student Bar Association Project."

The University of Florida won the Class C contest for "Outstanding Student Bar Association Project" and was a joint winner for "Outstanding Law School Newspaper."

Competition was separated into three classes. For the "Outstanding Student Bar Association" and the "Outstanding Student Bar Association Project" contests, contestants were split

as follows: Class A, schools with enrollment up to 500; B, enrollment 501-1,000; and C, enrollment over 1,000.

Entries in the "Outstanding Law School Newspaper" contest were based on the average budget per issue: Class A, up to \$500; B, \$50-1,000; and C, over \$1,000.

The College of William and Mary's Marshall-Wythe School of Law and the University of Montana School of Law were joint winners in Class A for "Outstanding Student Bar Association." There was no winner in this category in Class C.

Capital University's Franklin Law School won the Class A competition for "Outstanding Student Bar Association Project."

Sharing the Class A outstanding law school newspaper title with the University of Florida's

The Verdict are the University of Arizona College of Law's Arizona Advocate, University of California Hastings College of Law's Hastings Law News, St. Louis University School of Law's The Symposium, and Hofstra University School of Law's Conscience.

Marquette University Law School's The Oyer, the New York University School of Law's The Commentator and the Georgetown University Law Center's Georgetown Law Weekly were joint winners in Class B for this category, New York Law School's EQUITAS was awarded Honorable Mention in this category, and William Mitchell College of Law's William Mitchell Opinion and the University of Virginia School of Law's Virginia Law Weekly, shared Class C honors.





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## 12 NYLS Students In Lefkowitz Program

(Continued from Page 1)

to the cases assigned by the attorneys. The students were required to submit a report at the termination of the internship.

The students who worked in Special Projects had an interesting summer. One of the special projects involved a public hearing on the subject of tape piracy. This involved the poor quality tape reproduction of records. Recording artists and producers were among the witnesses who testified. The purpose of the hearing was remedial legislation, as the present legislation is deemed to be inadequate. The hearing received much publicity, notably in *Variety*.

Six of the twelve NYLS students worked in the Bureau of Consumer Frauds & Protection, perhaps one of the most active Bureaus within the Department of Law. The work of this Bureau receives much publicity. The students did field investigations, notably the closing of an abortion clinic, took complaints, worked toward the resolution of the complaints, and did legal research. Cases ranged from utility complaints to travel agencies, automobiles to collection agencies.

The Bureau of Trust & Estates is involved in several fields of law, almost all of which involves active litigation in the Surrogates Court and the State Supreme Court. The heaviest litigation arises out of the representation

of the ultimate beneficiaries of charitable dispositions in wills, trust agreements, deeds and corporate purposes. The Attorney General's power in this area is now recognized by statute, article 8 of the EPTL. The students who were assigned to the Securities Bureau assisted in field work, investigation and hearings.

An added benefit of this year's program was the lecture series initiated by the Attorney General. Once a week, a Bureau was selected to discuss the work with which it is charged. The students were addressed by David Clurman, Bureau Chief of the Securities Bureau. He spoke on the subject of condominiums, an area in which he is well known. (See 19 NYLF 457.) Stephen Mindel, of the Consumer Frauds Bureau, spoke to the group on new legislation, recent cases and developments in his field. Mr. Mindel, formerly a professor at NYLS, has written extensively in the field, most recently in the *New York Law Journal*. Other Bureaus which were represented were: Labor, Claims, Environmental Protection, and Civil Rights. Special Prosecutor Maurice Nadjari, as well as the Attorney General himself, addressed the group at several times during the summer.

The end of the program was marked by a luncheon at which the Attorney General awarded the students a Certificate of Appreciation.

## NYLS Rep. At Orientation: LSD Meeting

The Law Student Division of the American Bar Association held its annual meeting in Chicago August first through fourth. New York Law School was represented by Ron Goldfarb, our elected LSD representative.

Like last year, the House of Delegates, the Divisions' ruling body, spent a great deal of time debating a problem almost unknown in the East — unapproved law schools. A Blue Ribbon Committee, appointed after last year's meeting, recommended that students at these schools, chiefly in California, be denied membership privileges of the Law Student Division. Despite strong opposition, the committee's report was adopted with most of the support coming from the southern law schools.

Among other resolutions passed were those supporting abortion rights as guaranteed by *Roe v. Wade*; deleting sexist language from American Bar Association publications; eliminating questions about minor psychiatric treatment from law school applications and admission committee questionnaires; and one supporting a national women's right group.

These resolutions will now be presented to the ABA House of Delegates at their next meeting in February.

David W. Erdman of Georgetown University Law School was elected to succeed Howard Kane of Brooklyn Law School as LSD President.

More than one hundred law schools were represented at the

## Orientation:

# “We Are A Family... We Can All Take Part in Helping One Another”

(Continued from Page 1)  
would only last two days as well.

Fortunately, as the orientation program progressed, I realized that my fears were totally groundless. The SBA, which organized the whole affair, did a magnificent job in an effort to relieve us of the anxieties and the fallacious beliefs that plague all first-year law students. On Wednesday, we were introduced to the upper echelon of the school: the Dean and President, former graduates, members of the faculty, and representatives of the various student organizations. Thursday we heard from our future professors in a series of short lectures and afterwards, we were given a tour of the library.

Both sessions were very helpful. One could sense a feeling of friendliness and comradeship that was extended to the entire first-year class. I was especially gratified by the fact that everyone explicitly stated they would be happy to help us in any way they could during our stay at NYLS. We were assured that with dili-

gent effort, we could survive the three year program; the faculty was not dedicated to getting rid of a large portion of the entering class. The upperclassmen representing the various student organizations were especially willing to answer innumerable questions, no matter how trivial, concerning the law school, the faculty, and final exams. In Dean Shapiro's words, "We are a unit, a family . . . we can all take part in helping one another."

Orientation provided us with an excellent introduction into NYLS and eased countless minds that had been troubled for weeks. But in reality, it was more than this. As each speaker took his turn, a feeling of ener-

gy and hopefulness permeated us all. The orientation group was emphatic in pointing out that the entire student body was working assiduously to improve everything at NYLS; and they wanted us, the incoming class, to take part in this improvement program. It became obvious that student input is valued greatly by the school's young administration. Dean Shapiro's energy has been infectious; the entire school has been caught up in his rebuilding program. One can see the results in the student organizations themselves, which are designed to contribute fresh ideas for the betterment of the school.

It should be apparent, then,

that NYLS will not only be a product of the efforts of the administration, but a product of the students' efforts as well. Orientation set out to allay our fears and to spur the first year class into action, to get involved. There are always those who will sit back and do nothing; they will hope that the school can gain prestige through the efforts of others. Hopefully, the majority will not feel this way. It is our privilege to be able to take part in determining the fate of NYLS. We can help our school achieve a higher national ranking, or we can let it fall into oblivion. Get involved; both you and the school will benefit from it.

It should be apparent, then,

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