

5-1970

# Equitas, vol I, no. 4, Tuesday, May 12, 1970

New York Law School

Follow this and additional works at: <https://digitalcommons.nyls.edu/newspapers>

---

## Recommended Citation

New York Law School, "Equitas, vol I, no. 4, Tuesday, May 12, 1970" (1970). *Student Newspapers*. 109.  
<https://digitalcommons.nyls.edu/newspapers/109>

This Article is brought to you for free and open access by the NYLS Publications at DigitalCommons@NYLS. It has been accepted for inclusion in Student Newspapers by an authorized administrator of DigitalCommons@NYLS.

# EQUITAS

THE STUDENT NEWSPAPER OF NEW YORK LAW SCHOOL

AFFILIATED WITH PACE COLLEGE

VOLUME I, NUMBER 4

PUBLISHED JOINTLY BY THE STUDENT BAR ASSOCIATION AND PHI DELTA PHI  
COPYRIGHT, EQUITAS, NEW YORK LAW SCHOOL, MAY, 1970

TUESDAY MAY 12, 1970



Changing Command - William Nolan (l), new Editor in Chief of Equitas, is seen with Joel Slomsky, Editor Emeritus.



Recently named editorial board of Equitas (l to r) Marvin Kramer, Bruce Pitman, Marvin Raskin, and Peter Tangredi.

## New Editorial Board Chosen For Equitas

Equitas announces a change of Editors for this its fourth issue. William Nolan, a first year day student, was elected Editor-in-Chief at the last regular staff meeting. Mr. Nolan replaces Joel H. Slomsky who was the newspaper's founding editor.

A new Editorial Staff has been appointed by Mr. Nolan to replace many of the previous members who are graduating. Among those graduating are Kerry Katsorhis, the Business Editor; Martin Dunne, the News Editor; Phil Papa, the Law Editor; and Frank DiMarco, the Phi Delta Phi Contributing Editor. The Associate Business Editor, Alan Schnurman, a second year day student, was recently elected President of the Student Bar Association and is also leaving the staff.

The new Editorial Staff will consist of Marvin Kramer, Bruce Pitman, Marvin Raskin, and Peter Tangredi. Mr. Kramer is the Phi Delta Phi Contributing Editor and is also on the Editorial Staff of the Law Forum. Messrs. Pitman and Raskin are the new Associate Editors while Mr. Tangredi is the new Business Editor. All were previously staff members.

This has been a year of progress for Equitas, but even greater things are expected next year. The length of the paper may be increased from eight pages to twelve pages. The size of the staff has been greatly enlarged, but even more people are needed

because of the increased length and the increased number of editions planned for next year. Equitas has endeavored to focus greater support for the law school and will continue to do so in the future.

## Kings County District Attorney Addresses Student Body

At the invitation of Prof. Joseph H. Koffler, Hon. Eugene Gold, District Attorney of Kings County made an appearance as guest speaker on Thursday, April 30, 1970, before the student body in connection with the program in the Administration of Criminal Justice. Present for the occasion were Dean Walter A. Rafalko, Prof. John R. Dugan, Prof. Koffler and Norman J. Rosen, Mr. Gold's Executive Assistant.

Mr. Gold's remarks were concerned with current problems and topics relevant to the administration of criminal justice. In addressing himself to the question of bail, the District Attorney stated he was unalterably opposed to preventive detention. He then advocated complete reevaluation of the methods employed and considered for fixing bail. He contended that the determination in establishing bail should bear a direct and logical relationship to the economic ability of defendants to furnish bail. Mr. Gold

pointed out that the failure to consider this factor indeed results in bail being utilized as a punitive device which of course it not its intended purpose. The obvious example made by the guest speaker was that in a given case involving two separate defendants charged with the commission of an identical crime, both having established roots in the community and one defendant of means and the other indigent, the fixation of a \$1,000. bail, for example as to each defendant would result in a posting of bail by one defendant and the failure of the other defendant to gain freedom because of economic limitations. Reflecting a logical development of this philosophy, the District Attorney further advocated abolishment of low bail with the submission that the fixation of \$500. bail, for example, would certainly not be a deterrent to prevent a defendant from fleeing the jurisdiction and many indigent defendants cannot even meet the \$25.00 premium necessary to post such bail. Therefore, if low bail is all that is justified in a given case, from a practical point of view, the release of the defendant without bail requirement would serve a better all-around purpose.

Mr. Gold applauded the United States Supreme Court decisions in the Wade, Miranda and Mapp cases and even stated that perhaps many decisions, "have not gone far enough". He stated that the Bill of Rights was designed to make things difficult for the

prosecution in establishing rights of defendants and suggested that better qualified police personnel, who do not abuse constitutional rights of defendants, might be a solution to the difficulties presented to prosecution staffs.

The District Attorney informed the group that in 1969 there were over 4,000 indictments returned in Kings County involving more than 5,000 defendants. He suggested that in an effort to cope with the ever-mounting problem of Court delay, there should be more meaningful changes in the structure and course of prosecution methods and Court procedures. Some progress along these lines has been made. Mr. Gold cited the matter of traffic summons cases being phased out of Criminal Court jurisdiction, and the master calendar control system anticipated to be operational within the next six months in Criminal Court, as examples.

In the question and answer period which followed, Mr. Gold made the following points:

A. The constitutional requirements of a speedy trial may be the answer to those who are advocates of preventive detention and high bail. If our resources were expended toward effectuating that end, the public interest would certainly be protected.

B. The negotiations for obtaining pleas is a proper part of the system, otherwise the system would fall into a state of collapse.

C. Regarding the problem of marijuana, Mr. Gold supported the Koch bill, which sets up a Presidential Commission to study the effects of marijuana. The District Attorney further stated that a distinction must be drawn between the user of marijuana and the importers and pushers of marijuana; that it was the policy of his office to recommend Youth Counsel Bureau treatment for youngsters charged with the use of marijuana. The District Attorney stated these youngsters are in need of help.

Mr. Gold proved to be an articulate and inspiring lecturer and was well received by the student body in attendance.

## Student Bar Association Holds Elections

Alan Schnurman a second year day student was elected president of the S.B.A. for 1970-71. He urged that law school curriculum be changed in response to the academic evaluation questionnaires circulated to students this semester.

Also elected were Mark Brenner vice president; Patricia Carney, secretary; Joel Spivak, treasurer and Michael Guerriero, law school division representative. Professor Joseph Koffler has been named S.B.A. faculty advisor.

A committee headed by Prof. Vincent Lolordo, Gary Palmer and Geoffrey Yorke is investigating the possibility of convert-

CONTINUED ON PAGE TWELVE

## Professor Lee On Pace Radio

Up until recently the relationship between the law school and Pace College was little more than a formality. But a joint venture involving both schools has changed all that.

Last month Professor Joel Lee was presented with a half hour of Pace radio time. Complete with studio and technicians.

Aware that the program would be heard nationally and on Armed Forces radio, Lee assembled a panel of liberal and "strict constructionist" students to discuss freedom of speech and obscenity.

It was a controversial half hour that got good response.

Lee plans more radio shows with Pace soon.



Kings County District Attorney, Eugene Gold, was a guest speaker at the Law School on April 30. Shown (l to r) are Norman Rosen, Administrative Assistant, Dean Walter Rafalko, District Attorney Gold and Professor Joseph Koffler.

## Letters To The Editor

EQUITAS invites its readers to write "Letters to the Editor" on any topic relevant to the New York Law School community. The right to edit letters to conform to space requirements is reserved by Equitas. If one wishes to remain anonymous, he should sign the letter and then indicate that he wishes the letter to be published anonymously. Letters should be sent either to the Editor of EQUITAS, New York Law School, N.Y.C., N.Y. 10013, or deposited in the EQUITAS mailbox on the main floor of the law school building.

### LETTER TO THE EDITOR

One labels a leader a demagogue when he disapproves of that leader and what he stands for. It is a loaded term that connotes only negative feelings. Anthony Riggio should realize this when he uses such terminology. He is relying on the prejudices of language to make his "points" not logic or reason. I will give Riggio the benefit of the doubt and call him a demagogue readily admitting that I strongly disapprove of what he stands for. I disclose my bias rather than hide it behind a language of snide remarks and subtle innuendos. I will however go a step beyond Riggio and explain my rational basis for my distaste of his positions.

In his introduction Riggio said "the really incongruous thing about this demagoguery is that it emanates from behind the mask of newly discovered "freedom" and liberalism" etc.

I ask him why the quotes around the words freedom and liberalism? What do you intend to convey to us? What hidden meanings could these words have that you perhaps want us to be aware of? Or do you simply disagree with the way these words have been put to use? If so, say so. I once had a professor who said that etc. etc. etc. came in where knowledge and thought ended. After reading Riggio's article I would have had to conclude that my professor was very correct.

First of all, nobody to my knowledge, even "demagogues," have ever suggested that we should deal with the problems of My Lai or of the Chicago 7, to the exclusion of pertinent school matters. Perhaps Riggio should say what he really means to say that he wants to deal with what he considers to be "school matters" to the exclusion of the My Lai incident or the Chicago 7 trial.

To say that we shouldn't get involved with these issues because of our "limited information" is an Orwellian statement. The press and Congressional records and other news source provide much information on the problems. Perhaps what Riggio should have said is that "I don't want to deal with or discuss such problems" not that the information on them is limited.

A more important criticism of his anti-logic is his reference to these problems as "superfluous." Surely Riggio cannot be serious. Our legal system and our government are under fire now. They are being questioned and confronted on all sides. My Lai and the Chicago 7 trial

represent such important confrontations and still he calls these "superfluous". Instead he states that we shouldn't better ourselves with such because we lose sight of our primary objective, to wit, a legal education.

I am scornful of his concept of legal education. How can one dismiss a study of our society and what is going on within its legal systems today? Or how our paper legal system is or isn't working in actuality as not being an integral part of a legal education?

He goes on to say that "we aren't going to solve these problems and injustices which occur beyond our bailiwick." Who is going to solve these problems if we in the legal profession don't attempt to? Would he prefer these problems were solved in the streets under force of arms or civil chaos? Such is where and how these problems will be solved if we refuse to deal with them.

Unless we attempt to solve such problems there may not any longer be a recognizable legal system for Riggio to operate within. These are a part of our "bailiwick". This is our country, our government, our people and our field of study - we should be concerned with what goes on in our house.

No man is an island - play ostrich and what happens to your neighbor today might happen to you tomorrow. If riot and disorder ever take over and destroy our country or if it is destroyed by the government itself, Riggio having learned to file a writ of attachment will have been useless knowledge.

Don't condemn people for politicking in their columns by politicking in your column. It is known by many as hypocrisy.

Barry Gutterman

### LETTER TO THE EDITOR

Fellow classmates,

At present you are probably very concerned about your upcoming final exams and your bar examination. You have worked long and hard toward the fulfillment of your dream, and now victory is in sight. Congratulations.

Undoubtedly, there are many of you who will have to fulfill your military obligation soon after graduation. Last June I began my "hitch" in the United States Army and have been on active duty for ten months. I hope that the remainder of this letter

will help you decide what course of action will be best for you.

If you have a military obligation to fulfill, you may have four ways to accomplish it depending on whether or not you actually graduate and pass the "bar". First of all you can apply for and possibly be awarded a commission in the Judge Advocate General Corps; or you can obtain a commission upon completion of Officer Candidate School; or you can remain an enlisted man; or, lastly, you may join a reserve component. I chose to remain an enlisted man, and when I look back on my decision I can see that God was very good to me. Many law students and even lawyers who are drafted are classified as "II-B", or II-Bush, the designation for Light Weapons Infantryman. A draftee has very little choice as to the type of work he will do in the service. There are 27,000 enlisted men at Fort Jackson and only one other enlisted man doing what I am doing - legal clerk in a civilian legal assistance office. The commitment of a draftee is two years.

Many of the law students and lawyers who are drafted and classified as II-B will usually extend their tours to three years by applying to Officer Candidate School. Most graduates of "OCS" become executive officers at the Company Level and many become company commanders, usually overseas. The pay is much better and your position is much more dignified.

Some words of caution you may have heard that upon completion of "OCS", you may switch automatically to another career branch such as the Judge Advocate General Corps, or the Finance Corps. This is true - for the three percent of the "OCS" graduating class, but not so for the other graduates who may remain in the Combat Arms Career branch for which they were trained. Remember, all "OCS" candidates must be trained in one of the Combat Arms - Infantry, Engineering and Artillery - and except for the top three percent of each "OCS" graduating class, the needs of the service are paramount.

If you are a graduate of an accredited law school and have passed the bar examination you are eligible to apply for a direct commission in the Judge Advocate General Corps. These commissions are given to the top law students who apply. If you are in the top 10-15% of your class you may be selected for such a commission. If you are selected you will be commis-

sioned a 1st Lieutenant in the United States Army Reserve, and you will be commissioned a Captain upon completion of "JAG" School.

I would never suggest a route for you to follow but as I said before, God was with me when I made my decision. I have met too many other law students and lawyers who were not as fortunate as I was. Indeed, the majority of all draftees are classified as II-B. But if you decide to follow the path I did and are lucky enough to land the position that I did, then you will find that the experience that you will gain will prove invaluable. Studying law and putting it into practice are two entirely different things.

Your classmate, Mike Katsorhis has asked me to tell you my reaction to being drafted out of law school and into military service. My initial reaction was one of dismay and discouragement in that I knew that I would not be able to finish school as I had planned. But now that I am nearing the half way point in my tour I can honestly say that I am proud to be serving

my country and proud that I had whatever it takes not to try to avoid it. No, I will not re-enlist when my tour is over for I feel that I can better serve my country and my fellow Americans as an attorney and hopefully some day as a judge.

But, being in the service has given me the opportunity to see people, places and things that I would never even have dreamed existed. Being in the service has taught me quite a bit about myself, my convictions and my capabilities. If one enters military service with the idea that it will be a waste of 2, 3, or 4 years then it will be assuredly so. But if one enters with an open mind, retains his dignity as a man, and keeps alert, then you will find that your stay in the service will be a benefit to you and your country.

In closing, I wish you the best of luck on your bar exams and also during your service tours.

Sincerely,  
Pete Sereduke



New York Law School office staff. Seated: Mrs. Corke, standing: (l to r) Dr. Weary, Mrs. Wenz, Miss Gravenhorst, Mrs. Block, missing: Mrs. Gomperts.

## New York Law School Staff

"Behind every man... is a woman," and behind a few hundred would-be lawyers at New York Law School are five charming ladies who handle much of the clerical work concerning various aspects of the school and its administration. Beginning with the man behind whom the women work so diligently, we are privileged to have Dr. William Weary, whose official title is Secretary-Registrar. His job is to handle applications for admission and a multitude of duties related to student registrations...current and future. Dr. Weary has been at NYLS for 8 years. Prior to that he was Dean of the Business school of his own alma-mater—St. John's U.

Mrs. Dorothy Corke has been at NYLS for 10 years, is the mother of three children and lives in Ozone Park, Queens. Her duties lie close to the heart of every law student...Mrs. Corke has the notorious privilege of entering and mailing out grades, which, she advises, could be sent out sooner if she received the grades sooner from the faculty.

Mrs. Geraldine Wenz has been at NYLS for 12 years, and with Mrs. Corke, is the only other staff member to have worked both in the new and old NYLS buildings. Mrs. Wenz is also from Ozone Park and her duties are centered around services to seniors and Bar exam facilitation.

Mrs. Judith Gomperts is a relative newcomer to NYLS, having been here only one year. Prior

to this position she was with the Commission on Estates, a favorite dwelling place of many an attorney. Mrs. Gomperts lives in Greenwich Village and is the mother of two children; one married and one "very eligible 22 year-old daughter," as she puts it. Mrs. Gomperts is secretary both to the Alumni and to Judge Froessel, as well as Administrative Assistant to Dr. Weary.

Mrs. Ruth Block is the NYLS Bursar, and she has been ably working at that position for three years. Among her varied duties, Mrs. Block holds all NYLS related legal documents, she pays the bills and faculty salaries and also sees to the collection of assorted funds, including tuition. Mrs. Block has two sons, and lives in the Bronx.

Through three administrations, Miss Eleanor Gravenhorst has held the position of Administrative Assistant to the Dean, and her office is located just outside the Dean's on the second floor. She is also a secretary to Judge Froessel and does additional work with the Board of Trustees. After coming from St. John's Law School five years ago, Miss Gravenhorst has ably used her additional skills in the field of placement, and is very often responsible for the job offers on notice in the main lobby.

All of the staff indicated a tremendous respect for the students here at NYLS, and assuredly have every desire to be as helpful as they can to every student who seeks their aid....

## Iannuzzi Writes Novel

John Nicholas Iannuzzi, class of '62, has written a major courtroom novel PART 35 that will be published June 15 by the Richard W. Baron Publishing Co.

Iannuzzi, a leading criminal lawyer, has based the novel on one of his own cases. PART 35 deals with the defense of two Puerto Rican drug addicts who are accused of murdering a policeman on a New York tenement rooftop.

In the course of the pretrial investigation by the lawyer-protagonist, Sandro Luca, and in the trial itself, the author provides a vivid and often frightening picture of the relations of the ghetto poor to the law, the police, and the criminal courts. He also focuses on many of the hundreds of lives that are drawn together by their connection to a first-degree murder trial—the defendants, their families, their neighbors, the detectives, defense council, prosecution, judge, expert witnesses, and the ordinary frightened people who happened to be at some crucial spot on a

rainy summer afternoon when a patrolman was shot in the back five times with his own service revolver.

Much more than an entertainment—which it certainly is—the novel raises some germane questions about justice and whether the poor and the rich are equal before the law. As in the actual case, the defendants start with built-in disadvantages. Both are addicts with criminal records. One speaks almost no English. The other is black. They say that they are innocent and that confessions were beaten out of them at the station house.

The court appoints defense council for them—these days that means a flat \$250 fee for a lawyer, regardless of how much the case requires in investigation, paperwork, and court time. On the other side of the ledger, the state does not stint on the expenses of a lengthy trial—a trial like that in PART 35 would cost the taxpayers more than a quarter million dollars. But for the fee they are paid, many



JOHN IANUZZI

court-assigned lawyers do only the necessary minimum, rationalizing as one experienced lawyer in PART 35 does, that 99 percent of their clients are guilty.

Fortunately, there are exceptions, usually eager young lawyers, like Sandro Luca, (and like Iannuzzi himself, who has defended more than two dozen persons accused of murder).

But even when a lawyer is willing to give more than the state will ever pay for in defense of an indigent client, he finds vast resources ranged against him. The prosecution has the police force to do its legwork, police laboratories and other technical facilities to ferret out and prepare evidence, the power to command witnesses to

appear, possession of all relevant physical evidence long before trial, and a secret grand jury—from which the defense is barred to test its case.

John Iannuzzi has had a varied career. At one time he was an advertising copy writer. He is now in practice with his father, Nicholas P. Iannuzzi, in New York City.



Paul Bannon is seen speaking before Moot Court team of Professor Simak, James Williams, Michael Tannenbaum and Kerry Katsorhis.



Retiring Equitas editorial board (l to r) Kerry Katsorhis, Philip Papa, Frank DiMarco, Joel Slomsky and Martin Dunne.

## New Jersey Students In Legal Aid

Third year day students and fourth year evening students who are taking New Jersey practice are participating in a program which gives them experience in courtroom procedures.

New Jersey Court Rules allow for third year students on the referral of a legal aid office to appear on behalf of indigent persons in the juvenile and domestic relations courts, the county district court and the municipal courts provided such appearance is in accordance with a program approved by the Supreme Court on submission by such law school or legal aid office.

Professor Gladstone submitted such a program through the law school to the Supreme Court of New Jersey.

Upon approval and with the cooperation of the Bergen County Legal Aid Office, many of the class members have appeared in the Bergen County District Court.

To date, the variety of cases assigned the class has been limited.

## Student Faculty Committee

Important changes in school policy were made at a March meeting of the Student Faculty Advisory Committee.

Members agreed that if a student requests a critique of a failing paper his professor will be required to provide one. Students on academic probation may make similar request after receiving grade of 68 or under.

Although no vote was taken on adoption of honor system the committee did recognize student dissatisfaction with present finals procedures.

In addition, several members suggested that numbers replace names on final papers and professor evaluations of classwork be part of the final grade.

Attending the meeting were Dean Rafalko, Professor Koffler, Professor Silverman, Charles Adler, Joel Slomsky, Barry Simons and Alumni Representative Harry Ostrov.

Several members of the class have represented indigent tenants who face eviction. The tenants have been granted stays of one to four months. Several domestic relations cases were assigned to the class and the indigent received the relief sought. The class has had other cases assigned to it by the Legal Aid Office pending in the Bergen County District Court and the several municipal courts in the county.

The class is doing an excellent job with their new program. Usually the student assigned will meet with his client the day before the scheduled appearance. Therefore pressure is always on the young attorneys.

There is hope that such a program will be established for those taking New York practice as well.

## Finkelstein Named Party Chairman

At a meeting of city Democrats last December, alumnus and trustee Jerry Finkelstein was approved as the party's first city-chairman.

Finkelstein will begin work after the June primary.

Members of the subcommittee that asked Finkelstein to take the post represented all wings of the party and included Abraham Beame, Herman Badillo, Patrick Cunningham, Meade Esposito, Edward Rugoff, Francis Smith and Percy Sutton.

Finkelstein is publisher of the New York Law Journal and Chairman of the Board of Struthers-Wells Corp.

He received the law school's Distinguished Alumnus award in 1965 and was awarded an honorary Doctor of Law degree last year.

His son Andrew Stein is an Assemblyman in Manhattan.

## Two Teams Enter Moot Court Finals

Moot Court offers the student a practical experience in the art of appellate brief writing from rudimentary legal research and use of citations to the finished product. The student is cast into an arena more frightening than those of ancient Rome, where his knowledge of the facts, his alertness to the issues and his ability to respond are tested. It is a challenging battle in which all contestants are winners.

A series of intramural competitions have recently been held to determine the finalists in the Annual New York Law School Moot Court Competition. The final round will be held on May 5, 1970 at 3:30 P.M., room 502.

The finalists include Robert C. Edmonds, Paul S. Bannon, William K. Polignani, Geoffrey D. Yorke, Michael Guerriero, Arlen S. Yalkut. A team of three will be selected to represent the Law School in national competition this fall.

The competition has been conducted by the present members of the Moot Court Board: Kerry J. Katsorhis, James Williams, and Michael Tannenbaum. Lectures on Legal Research were given by Professor Simak, Moot Court Board Faculty Advisor.

The following students have been selected to the Board for the 1970-71 term: Robert C. Edmonds, Paul S. Bannon, William Sandback, Arlen S. Yalkut, Edward Ryan, William K. Polignani, Geoffrey D. Yorke, James Wolfe, Thomas J. Cimicata, Michael Guerriero, Joseph Miller and Dara M. Kane.



Lieutenant Commander Frank Nicolai being congratulated by General William C. Westmoreland U. S. Army Chief of Staff.

## Nicolai Awarded Medal

On Tuesday April 7, Coast Guard Lieutenant Commander Francis A. Nicolai was presented the Navy Commendation Medal with a combat "V" for duties in Vietnam, by General William C. Westmoreland, U. S. Army Chief of Staff. Mr. Nicolai was honored for his meritorious service during combat operations against the enemy while serving aboard the Coast Guard high endurance cutter Owasco. Mr. Nicolai's ship was involved in a coastal surveillance system known as "Operation Market Time", which severely curtailed the amount of supplies reaching the enemy by sea. The ship also provided offshore shelling whenever called for. Mr. Nicolai's other awards include the National Defense Service Medal, the Vietnam Service Medal and the Vietnamese Campaign Medal.

Frank Nicolai is a third year day student at the law school. He was graduated in 1961 from the Coast Guard Academy in New London, Connecticut and has been an officer in the U. S. Coast Guard since that time. Frank began his course of studies at New York Law School in the Fall of 1965, and attended the evening division for three years. In 1968 he was ordered to Vietnam where he served for one year in the operation described above. In 1969 he returned to New York and received permission from the Coast Guard to complete the remaining year of his legal education as a day student. After his graduation in June, Frank will be a Coast Guard Legal Officer assigned to the Legal Staff of the Commander, Third Coast Guard District on Governors Island.



"Nothing makes a little knowledge so dangerous as examination time."

# PLI BAR REVIEW COURSE

NEW YORK BAR REVIEW

JUNE 3 - JULY 21, 1970

TOWN HALL

NEW YORK CITY

Faculty of 10 Law School Professors

Morning and evening Sessions offered

Course offered on tapes in seven

out-of-town locations

For further information contact:

BAR REVIEW DIRECTOR

Practising Law Institute

1133 Avenue of the Americas

New York, New York 10036, (212) 765-5700



## EDITORIALS

### WHERE DO WE GO FROM HERE

We are beginning to take our first steps toward a progressive legal education at the Law School. They have not, by any means, been giant steps, but for the first time we are moving in the right direction. In the last eighteen months, the SBA, EQUITAS, and various committees have all come into being. And perhaps most importantly of all, a student evaluation of the curriculum and faculty has been completed, and recommendations made to the Dean. Our Law Forum is one of the more prominent in the nation. How far we proceed, depends on several key elements.

There still remains an abundant amount of student and faculty apathy. This is a most distressing fact, since it is obvious that without activism, well-reasoned and effective change moves ever more slowly, or perhaps not at all. Both students and faculty must realize that the Law School is a community. Just as one must participate in solving the problems that exist in the community where one lives or face the consequences, so too at the Law School we must do the same. If we are not willing to participate, to challenge the old rules, to "lay it on the line" for what we believe, then we must be prepared to place the blame on ourselves for whatever failings we have as a law school.

In this era of generation gaps, credibility gaps, and communication gaps,

there is a "trust gap" at our school. The students are skeptical of the faculty and administration, and undoubtedly the reverse is true. This is a serious problem, because in the end, we will all have to work closely together in order to meet and overcome the problems we face. We must re-establish these lines of communication, trust, and mutual respect. It is not a question of where the fault lies, but rather of recognizing the problem, and taking steps to alleviate it now.

In the final analysis, it will be the events in the classroom which are determinative. A legal education requires a great quantum of work. There can be no question on that point, and each student must realize that. But that is only one side of the coin. Students must be qualitatively challenged; the best of what they have to offer must be brought out. They must be compelled to learn, to question, to analyze the law, not by rules, regulations, and other methods of coercion, but rather by the force of their own interest and by their intellectual appetite being stirred by a challenging professor. In the classroom, there is a dual responsibility, and both the student and the professor must fulfill it. We have the potential to meet the demands and needs of a modern law school, we must now act upon that potential.

### PLACEMENT NOW

This past year saw the beginning of our first Placement Service. On first glance it is difficult to understand why it was so slow in coming but the first steps have been taken and ideas are being formulated towards making it a success. Starting with our last issue and again in this one EQUITAS has run a cutout form for the Placement Service. Response has been very small, as compared to response to the form for the Juris Doctorate Degree.

Money problems are a common bond among law students and the chance to earn tuition may make the difference between finishing your stay in school and leaving to earn those all important dollars. Even more important than summer and part time work is having a job on graduation. Surely the thought of graduating after three or four years of law school and then having to beat the bushes is not a pleasant prospect.

EQUITAS urges the law school administration and Student Bar Association to make a concerted effort to see such a service become a reality. We suggest the employment of a full-time

administrative coordinator or the creation of a faculty led, student committee for this singular purpose. However, we feel that the alumni must shoulder a great part of this task. No one knows the difficulty of finding a position better than the alumni and no one is in a better position to help. EQUITAS suggests all alumni to look to the school when filling their job openings.

### STUDENT BAR

EQUITAS congratulates the newly elected Student Bar Association Representatives. The elections served to generate student interest and attention. These words may seem harsh but the task is great. Time can't be wasted on useless rhetoric, hard work is the ingredient of meaningful change. The representatives of both day and evening sessions must work together to bring about the cohesive and viable organization we need.

### FROM THE EDITOR

## BAR-LINE

By WILLIAM PAUL NOLAN

This edition of EQUITAS marks the close of our first year of publication. Everyone was pleased with the advent of a student newspaper but many were skeptical of its chances for success. Through the efforts of our students the paper has grown in stature to where we are now one of the foremost law school newspapers with a circulation approaching ten thousand copies per edition.

This growth would not have been possible without the dedication of our past Editor-in-Chief, Joel Slomsky and the third year members of the editorial board: Martin Dunne, Michael Katsorhis, Philip Papa and Dwight Inn Editor, Frank DiMarco. Special mention must be given to Mike Katsorhis and Al Schnurman, who handled the business end of the paper. Their hard work, hustle and ingenuity have made this issue a reality because our initial allocation had been expended after three issues.

However, mistakes and oversights have occurred, therefore I am choosing this time to reiterate our goal of making EQUITAS the voice of the law school community and the mirror of its activities. Our community includes day session, evening session, alumni, faculty and administration. In order to publish a newspaper that desires to represent everyone, we must make the attempt to do just that. I have reached agreement with the night session Student Bar Representatives to hold meetings at night or possibly on weekends in order to generate night school participation and to alleviate a possible dichotomy of interest between both day and night sessions. It is seldom realized that the night session comprises a majority of our student community and is certainly entitled to equal representation. However, since many issues and problems are particular to the night student, his participation is essential to bring about a viable coalition.

The EQUITAS staff have been working with representatives of the alumni to report alumni program events and news of our graduates. By this association



WILLIAM NOLAN

and by soliciting articles from our graduates EQUITAS hopes to stimulate greater interest and participation in the law school program.

It has been our policy to do articles on various members of the faculty and administration in an attempt to familiarize each of them to us. However, this policy seems rather perfunctory, we have many competent and interested professors and administrators, whose ideas should be presented to the student body. Therefore, EQUITAS solicits our faculty and administration to write articles or give their views on anything relevant to the law school community.

Good luck on exams, have an enjoyable summer and best wishes to our graduates.

### FROM THE EDITOR

## Law Forum

By RICHARD A. GREEN

It is with great pleasure that in this column I am able to announce to the student body at large both the election of a new Editorial Board and the selection of new first-year student candidates.

To begin with, the LAW FORUM has recently elected to its Editorial Board the following people: Tim Sullivan, Clayton Knowles, Barry Simons, Leonard Pojednic, Kenny Weinstein, William Basedow, Marvin Kramer, Howard Glicksman, John Saleirno, Paul Newell, and myself. These people are certainly to be congratulated for the fine work they have done to enable them to achieve their respective positions.

Next, the LAW FORUM is equally pleased to announce that the following first-year students are now candidates for the position of Staff on the LAW FORUM: Richard Ackerman, Sandra Conchado, Thomas Coughlin, Carolyn Demarest, Alan Dunst, Gary Feitlin, Sheila Hammer, William Nolan, Robert McGann, Judith Metzner, Mark Richman, Louis Rizzo, Barry Sarkisian, James Sullivan, Allan Summers, Sally Stevens. These students deserve the highest commendation for surviving a competition among the top thirty students in their class, as all that remains for them to become official Staff Members is the actual publication of their comments. It would seem that something stated in this column earlier by one of my predecessors would be appropriate here. "No doubt the FORUM'S quality will remain superior since the caliber of its members is constantly on the rise."

Since this column was inaugurated to apprise the student body of what the FORUM is doing, I shall continue this tradition by delineating some of our plans for the coming year. For our Fall and Winter issues we are

presently engaged in preparing a two-part symposium on extradition in international criminal law. This symposium will deal with both the practical and theoretical aspects of extradition in this world of every-diminishing geographical boundaries, and will have as its underlying theme the feasibility of a World Court capable of making binding determinations. In addition, I am proud to say that the LAW FORUM is preparing this symposium in conjunction with a Standing Committee of the American Bar Association chaired by O. John Rogge, Esq. a well-known practitioner in New York and former government official. Particularly exciting is the fact that this symposium is going to be published in book form under the auspices of the ABA with full credit being given to the New York Law Forum.

Finally, the Law Forum is undertaking at this time a complete review of its editorial policies in order to better its communication with and relevancy to the student body as a whole and the faculty.

FROM THE PRESIDENT

STUDENT BAR

By ALAN J. SCHNURMAN

No one wants to go through three or four years of law school just to hide his diploma in a drawer. We have worked too hard and too long for that to happen. The only way we are going to feel an active sense of pride in New York Law School is through a program of student activities, and for that you need a viable Student Bar Association -- with full support from the students.

It is only through our efforts as students working with the administration and the Alumni Association that we can raise our reputation in the legal community, but first, before we can expect anyone else to believe it -- we must believe it ourselves.

A change has taken place in our school that most of us are unaware of. This change is one of status, our status in the legal community. Furthermore, this change is being instituted by students themselves.

Our Law Forum is among the 26 best law reviews in the country. Recently, it published a two-part symposium on securities regulations that has become required reading on Wall Street. Professor Means' article on abortion is said to have formed the basis for New York's new abortion law.

EQUITAS' circulation now

varies between six thousand and ten thousand copies per issue which are distributed to our affiliate, Pace College and mailed to our alumni and to law schools across the country. Every edition of EQUITAS finds itself in every law library and on every dean's desk from coast to coast.

Today's EQUITAS is in competition for the best law school newspaper in the country. Our successes in bringing the name of the law school before the legal establishment is only matched by the success we had in activating our alumni. EQUITAS is credited with bringing in more than \$2,500 in alumni membership dues. In our third issue we included a cutout for student placement (see page 12 of this issue) and if that is only half as successful as the one for alumni membership, placement worries for summer



ALAN J. SCHNURMAN

and permanent employment will be a thing of the past. And lastly for all these future clients of ours who like to lift a phrase here and there without the publisher's permission, EQUITAS has been officially copyrighted under the appropriate federal law.

The first step has now been taken. The Student Bar Association in the coming year will be the focal point of this change, but without the confidence and support of the student body this effort will only be an exercise in futility.

plished much under the leadership of Ken Zebrowski and would have accomplished more, but for the lack of time. In taking over the position so ably filled by Zebrowski, I hope to continue in that positive direction and, in so doing, enhance the name and reputation in the legal community of not only the Inn, but the fraternity and law school as well.

We anticipate a challenging and rewarding academic and social calendar.

Ed Ryan

Law Student Division

A.B.A.

By MICHAEL GUERRIERO

The dignity of man lies in his responsible use of freedom. The dignity of a law school lies in its acceptance of this fact. The fulfillment of our legal growth is the responsibility of New York Law School. Since collectively we make up the "corpus" of New York Law School, we are responsible for our own legal growth -- hence the dignity of New York Law School. The type of academic environment we choose in which to cultivate this growth requires the responsible use of the means available to us.

Congratulations are in order for those students who sacrificed time and effort in the past year in establishing this environment. Your work is significant not in what you accomplished but in the fact that you shouldered the burden of getting the Student Bar Association off the ground. Whether your contribution was large or small, noticed or unnoticed, the important fact is that you made a contribution. With over five hundred students in New York Law School, there are almost two hundred who are members of the Law School Division of the Student Bar Association. Although this figure of almost 50% membership is above the national level, we should strive for increased membership.

To those who for one reason or another could not find the time to participate I urge you to make a personal commitment for the coming year to work with the S.B.A. in improving New York Law School. Our Constitution provides for many different types of committees on which students can participate. Depending on your personal interests, i.e., curriculum, Law Student Division, alumni relations, social, etc. there is an opportunity for you to express your thoughts. The old excuse that this is merely a "commuter" school is simply untenable. These committees do not require long hours of



MICHAEL GUERRIERO

arduous work, rather they require only a willingness to devote a portion of your time. The Student Bar Association needs the support of its students to survive.

This August the President and I will attend the annual national convention of the Law School Division of the Student Bar Association in St. Louis. From this convention we hope to learn new methods of increasing student participation in our S.B.A. The strength of our S.B.A. and ultimately New York Law School lies in fulfilling our aspirations for it. Our job is to shape so far as we can the type of school we want for ourselves and those who will follow us.

FRATERNITY PRESIDENT

PHI DELTA PHI

By KEN ZEBROWSKI & ED RYAN

The publishing of this issue of Equitas has particular significance for me, as it marks the termination of my position as leader of Dwight Inn and the end of my formal legal education. The time I have spent in law school has been more rewarding and meaningful as a result of my involvement with the fraternity, and associations with my brothers of Dwight Inn. I sincerely appreciate their having given me the opportunities to serve.

Dwight Inn has accomplished a great deal this year. We have joined with the Student Bar Association in the publishing of Equitas. We have obtained the first permanent office for the fraternity on the school premises. We have opened up new lines of communication with other student groups and have inaugurated an annual Professor of the Year Award.

The goal of the fraternity has been to serve the law school and our classmates and to provide an opportunity for more frequent and more meaningful professional and social interaction among the students. It is my hope that we have made strides in those directions.

Ken Zebrowski

lize that with the position also come responsibilities which may be difficult at times. Good things do not come easy, as the executive board of Dwight Inn recognizes.

In the coming year, greater emphasis will be placed on our revamped pledge program, whereby we will contact entering students during the summer in an effort to introduce them to the fraternity and offer our help in regard to such things as where to buy textbooks and what to expect in the classroom and of the school. We feel that early personal contact will help the student and instill in him an active interest in the fraternity.

We are also interested in reinstating a speakers program -- either on a strictly fraternity level or a school wide level, whereby prominent men in the legal field will be invited to enlighten and encourage our student body. Thus, as in the past, the fraternity intends to be helpful and active in our school and in our fraternal province.

It has been a fruitful year, and has passed quietly -- perhaps too quietly. Dwight Inn has accom-

Probation Department Home For Law Students

What are you doing at about 8:15 a.m. on Saturday or Sunday morning? There are students at the law school who spend their weekend mornings and some of their time after classes interviewing prisoners at Criminal Court buildings throughout the city.

They are part of the "Release on Recognizance" Branch of the Probation Department. Aimed at helping first and occasional offenders who cannot raise "reasonable" bail, the program provides for interviews prior to arraignment so that "good risks" can be returned to the community.

The person's stability is measured in general by the length of time he has been a resident of the city, living with his family or supporting dependents, his current and past employment record and any prior criminal record.

Some defendants however, cannot be recommended regard-

less of what their "risk factor". These are the people involved in a case where the victim is in critical condition in some hospital where a homicide has been committed or where a warrant has been issued for the person's arrest.

With the exception of very minor offenses in which the defendant pleads guilty, the judge rarely hears a case at the arraignment.

When a defendant comes before him, he can release the defendant in his own or someone else's custody with his promise to return when told. He can place a bail on the accused which could be met with a cash alternative depending upon the judge's discretion or the judge can hold the defendant in custody by placing a "reasonable" bail on him but one which is prohibitive for the particular defendant.

The judge then sets a return date on which the defendant will have his hearing.

The ROR interview is a great

advantage to a defendant because with the court calendars as clogged as they are in New York City, their return date can, and often is, more than two weeks away.

Although it was started in 1964, about a third of the judges tend to disregard ROR recommendations. Perhaps a reorientation is in order for those set in their pre-ROR ways.

The program has been successful because it has been shown that those who have failed to return on their return date are no more than those released on bail.

This relieves the court calendar because return dates can be scheduled farther in advance when one is released in his own custody. It also gives the accused a chance to maintain his freedom, particularly if he is unable to meet a bail, until proven guilty.



ZEBROWSKI & RYAN

As the incoming President of Dwight Inn, I wish to express my gratitude to the Brothers who have elected me to represent them in the coming year. I rea-

EQUITAS

STUDENT NEWSPAPER OF NEW YORK

LAW SCHOOL

Editorial Board

EDITOR-IN-CHIEF . . . . . WILLIAM PAUL NOLAN  
Associate Editor . . . . . Bruce Pitman  
Phi Delta Phi Contributing Editor . . . . . Marvin Kramer  
Marvin Raskin  
Peter Tangredi

Editor Emeritus . . . . . Joel Harvey Siomsky  
STAFF:  
Len Pojednie, Karen Berger, William Polignani, George Farkas, Lester A. Marks, Marvin Ringer, Martin Dunne, Philip Papa, Mike Katsorhis, Cheryl Bradley, Charles Adler, Lyndon Parker, Sara Oltarz, Brian Gilmartin.

FACULTY ADVISOR: Professor Milton Silverman

EQUITAS is published jointly by the Student Bar Association and Phi Delta Phi Fraternity, Dwight Inn Chapter. The views expressed herein are those of the newspaper or its by-lined reporters and do not necessarily reflect those of the student body, administration or faculty unless otherwise specifically stated.

Mailing Address: 57 Worth Street, N.Y.C., N.Y. 10013  
Telephone: WO-6-3500 Ext. 12

Advertising Schedule

BASIC RATES:

\$2.50 per column inch.  
Full Page (5 col. x 16") . . . . . \$110.00  
Half Page (40 col. inches) . . . . . 60.00  
Quarter Page (20 col. inches) . . . . . 35.00  
Eighth Page (10 col. inches) . . . . . 20.00

DISCOUNTS. 10% discount for insertion in 3 or more issues.

NOTE: An advertiser may vary copy of an ad and still be eligible for the discount, so long as he continues the same size ad.

CONTACT: Business Editor, EQUITAS, New York Law School, 57 Worth Street, New York City, New York 10013. Tel. WO-6-3500 Ext. 12.

**INSTANT CASH  
FOR LAW BOOKS**

**LAMB'S  
BOOK EXCHANGE**

*Official N.Y. Law School Bookstore*

**Complete line of materials for your  
Finals and Bar Exam**

**SAINER - Substantive Law Of New York**

**1969 Edition Now Available**



**121 LIVINGSTON STREET  
BROOKLYN, N.Y.  
875-1491**

# EQUITAS

THE STUDENT NEWSPAPER OF NEW YORK LAW SCHOOL

AFFILIATED WITH PACE COLLEGE

SPECIAL SECTION

PUBLISHED JOINTLY BY THE STUDENT BAR ASSOCIATION AND PHI DELTA PHI  
COPYRIGHT, EQUITAS, NEW YORK LAW SCHOOL, MAY, 1970

TUESDAY MAY 12, 1970

## Law School Students React To Kent State Tragedy



At 11:00 AM on Tuesday, May 5, 1970, the students of New York Law School Day Division observed one minute of silence for the four students killed at Kent State on Monday. Immediately following this observance members of the freshman class requested that class be discontinued and a discussion followed concerning both the Kent tragedy and the Cambodian situation. After this discussion freshman students called a general meeting in the first floor lounge to discuss what action should be taken by the law school.

In a matter of minutes the first year students were joined by most of the Day Division student body, Dean Rafalko and some faculty members. Heated discussion ensued and many gave vent to their feelings concerning the war in Indo-China, Kent State and possible action on the part of New York Law School.

The meeting was chaired by Charles Adler, former Student Bar Association President. After some two hours of heated discussion, Dean Rafalko, who had previously sanctioned both the minute of silence and the meeting, met with the students and fielded questions on a wide range of topics.

At the suggestion of Dean Rafalko, decision was made to postpone collective student action un-

til a meeting could be held later that evening with the entire student body in attendance. Immediately after the discussion broke up, a group of students met on the seventh floor to decide on future action. These students formed the New York Law School Ad Hoc Committee for Peace, and named Lorin Duckman as its Chairman.

These students drafted a proposal for presentation that evening to the student body. (The full text of this proposal is found on page 10).

The meeting of the entire student body was held at 6 P.M. on the fourth floor. S.B.A. President Alan Schnurman chaired the

meeting at which Dean Rafalko, S.B.A. representatives of both day and night divisions and some faculty members were in attendance.

An apparent dichotomy of opinion between day and evening students was immediately apparent. After lengthy discussion, a vote was taken with a clear majority of those in attendance in favor of the proposal. It was decided that the proposal should be put

to a student body referendum the following day. The proposal was approved by the vote of the student body by better than a three to one margin.

At a midnight meeting held Wednesday, the S.B.A. Executive Committee agreed to present a second proposal of the Ad Hoc Committee to Thursday's special faculty meeting. A general meeting was

CONTINUED ON PAGE TEN

*This issue of EQUITAS was ready for printing when the events following the Kent State tragedy occurred. For economic reasons, the Editorial Board of EQUITAS decided to add these four pages rather than restructuring the entire paper.*





ANTHONY T. RIGGIO  
A.B.A. Representative



ALEXANDER M. SELKIRK, JR.  
S.B.A. Class Representative



CHARLES P. ADLER  
S.B.A. President



ALFRED E. BRAUN  
S.B.A. Vice-President



KERRY J. KATSORHIS  
S.B.A. Class Representative



JOEL H. SLOMSKY  
Editor Equities

# New York Law School

## CLASS OF 1970

### NIGHT DIVISION



ROBERT L. ALEXANDER



FRANCIS J. APICELLA



ARNOLD A. BRENHOUSE



PAUL L. BRENNAN



GERALD R. CAMPBELL



PATRICK BARRY



ELAINE R. BERGER



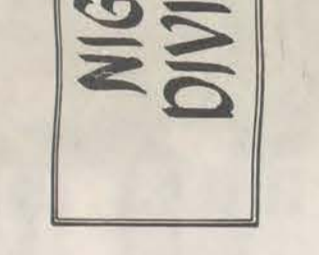
ARNOLD A. BRENHOUSE



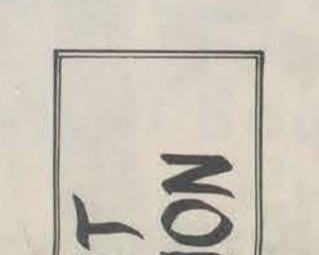
PAUL L. BRENNAN



GERALD R. CAMPBELL



ANDREW J. JULIEN



ROBERT KESHNER



ROBERT KESHNER



ROBERT KESHNER



ROBERT KESHNER



HAROLD B. KUPLESKY



STEPHEN I. LAMPACH



ROBERT LEVENBACK



MYRON LEVINE



GERALD R. LYNCH



GEORGE S. MAXWELL



DAVID MINARS



JOSEPH MOLLINO



ARTHUR F. MORGAN



JAMES D. NICHOLS

ANN L. RITTER

ROY R. RITTER

ALAN J. SILVERMAN

ALAN D. SPIEGEL

ROBERT I. STROUGO

HARVEY WEISS

JAMES WYNN

GABRIEL A. YANDOLI



EMANUEL G. AFTERGUT

# New York Law School



MICHAEL AZARIA



CHERYL J. BRADLEY



ANTHONY A. CAPETOLA

## CLASS OF 1970



FRANK D. CASTALDI, JR.



EDWARD M. COOPERMAN



FRANK P. DIMARCO



MARTIN F. DUNNE



STEPHEN G. EDELSTEIN

## DAY DIVISION



JEFFREY B. FREIS



BRUCE GAETA



ROBERT L. GALANTUCCI



JONAS M. GELB



JOHN K. GIFFORD



BRIAN G. GILMARTIN



STEPHEN GLATT



HENRY S. GOLDMAN



ANN S. GOLDSTEIN



STEVEN S. GREENBERG



BARRY A. GUTTERMAN



MORRIS HARARY



DAVID N. HELLMAN



ROBERT D. HOFFMAN



SAM K. KLEINER



DANIEL L. KURZ



CHARLES F. LUJACK



FRANK P. MARINO



JACK A. MARINO



LESTER A. MARKS



PAUL A. MASSARO



HOWARD H. MATYSON



STEVEN L. MECHANIC



LEE R. MILLER



DANTE P. MONGIARDO



FRANCIS A. NICOLAY



PHILIP R. PAPA



ANTHONY PARLATORE



ALAN L. PECK



THOMAS P. PHELAN



ROBERT J. PINARD



MEL REISS



MARVIN RINGER



ELLIS J. ROSENBLATT



ALAN ROSS



GARY B. SACHS



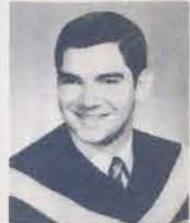
HELENE C. SCHECHTMAN



PHILIP G. SCHNELWAR



RICHARD M. SEVERIN



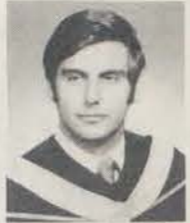
JAMES F. SHALLECK



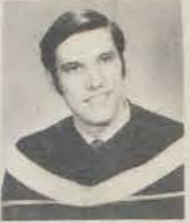
FERN S. SIEGEL



MICHAEL S. SIMON



STANLEY P. STAHL



MICHAEL G. TANNENBAUM



VINCENT P. TARANTO



DOLORES G. TERRY



JACOB TOPOREK



PHILIP M. UNGER



RONALD WILCHFORT



KENNETH P. ZEBROWSKI

## STUDENTS REACT TO KENT STATE TRAGEDY

CONTINUED FROM PAGE SEVEN

called Thursday morning by the Ad Hoc Committee to discuss the various avenues open for student action. Representatives of other metropolitan law schools were present to discuss their plans and ideas for collective student action. Various work programs and plans for the Washington convocation were discussed.

Meanwhile the faculty along with Alan Schnurman, Lorin Duckman and Richard Green, Editor-in-

The Student Body of New York Law School offers condolences to the parents and friends of the students killed and injured at Kent State University.

Chief of the New York Law Forum met in a closed door meeting to consider the student proposals. This meeting lasted for more than two hours while the student body awaited their decision en masse on the fourth floor. At 2:40 P.M. Schnurman and Duckman returned from the meeting with the faculty's acceptance of the proposal.

Immediately after receiving the news which was greeted with cheers and applause, many students began making preparations for the Washington convocation and for community action to bring peace and harmony to our times.

### Proposal Number 1:

#### PREAMBLE

In submitting these proposals, it should be made clear that we do not wish the views of any group to be imposed on any other. Consequently, we feel that those who wish to devote their time and

energy to the taking of final examinations do so. On the other hand, there are many students who in good conscience feel so strongly about the escalation of the Indo-China war, and the killing of four Kent State College students, that they desire an avenue to express in an academic and constructive manner their indignation and opposition to these events. Similarly, there might be those who are also deeply concerned about these issues, but are in support of the policies followed by the present administration of the United States government.

In keeping with these ideas, we propose the following:

I. In the interests of the community that those students who wish to sponsor and participate in a legal project involving an analysis of the current political and legal atmosphere and recommendations for the future, be allowed to do so, in lieu of final exams.

II. That credit for the courses be provided on a standard which neither adds nor detracts from the academic positions of the project participants.

III. That the project be so organized that at least equal time (and in all likelihood greater time) will be spent in the project as by those involved in the semester's work and a review of it, recognizing that all classes will continue to be held as scheduled with the normal attendance requirements.

IV. That those who participate in this project be afforded all the rights and benefits of non-participants and that it be recognized by all, that this project does not pre-empt the need to review courses, continue fully prepared, and devote such time to legal education as is always required.

V. That the project be provided with at least one member of the faculty, as an advisor, preferably all of the faculty, to assure a scholarly project of the highest standards. And further that liaisons be formed with other schools to correlate related projects.

VI. That the projects be opened to everyone now matriculating in the school and to all members of the faculty and the administration.

VII. That the project organizers and administrators be elected to set up the necessary framework for the research, writing and publication of the product.

VIII. That we wish to emphasize once again that no one be forced to follow the course of conduct inconsistent with his beliefs.

### SBA Resolution

Resolved as follows:

1) That no student will be required to attend classes for the remainder of this academic year, and all students will receive the grade of "P" for their current courses.

2) All classes will be held for the balance of the academic year commencing on Monday, May 7th, through end of semester for those who wish to attend.

3) No final examinations will be held except for those who wish to take such final examinations; in which case the student who elects to do so will receive no lower grade than a passing grade of a "P" at the student's option.

### Faculty Resolution

At a Special Faculty Meeting of New York Law School, held on Thursday, May 7, 1970, which meeting was attended by the Dean and all of the members of the full time faculty of New York Law School, and Alan Schnurman, President of the Student Bar Association, Richard Green, Editor-in-Chief of the New York Law Forum, and Lorin Duckman, Chairman of the New York Law School Ad Hoc Committee for Peace, it was unanimously resolved by the faculty as follows:

1. Classes will not be held Thursday evening, May 7, 1970 and Friday, May 8, 1970.

2. All other classes will be held



Dean Walter A. Rafalko faces student protestors following Kent State Tragedy.

for the balance of the academic year for those who wish to attend.

3. Final examinations will be held this semester for those students who wish to take such examinations. In the event a student elects to take such final examinations he will receive the grade he actually attains in each course, unless the grade in a given course is under 69, in which event he will receive a "P" (credit for the course) for such course.

In the event a student elects not to take such final examinations, he shall receive a "P" (credit for the course) in all courses in which he is enrolled this semester and in which he would otherwise be entitled to

take final examinations.

4. A student who elects to take final examinations this semester will be required to take all such examinations.

5. In the event any legal question arises as to the validity of certification for the Bar as a result of this resolution, we will take whatever steps are available to obtain such certification for all students, including, if we deem it advisable, changing all grades given during this semester to "P" (credit for the course).

6. This resolution shall in no way affect current make-up examinations, or current re-examinations.

## P.L. 91-172 — The Tax Reform Act of 1969

By LESTER A. MARKS & MARVIN RINGER

The Tax Reform Act of 1969 was signed by President Nixon last December. Though the title includes the word, "Reform", there are many who choose to differ with its connotation. Although the initial strength of the Bill was a crackdown of tax loopholes and abuses, it fell short of that aim due to political dealing and industrial lobbying. What resulted is a watered down version which removes some loopholes, but not enough, but does give the low and middle income taxpayer some equitable relief as illustrated by the explanations to follow. In addition, the full effect of all the measures will not be felt until the taxable year 1973.

Under the new act the personal and dependency exemption will be raised from its present level of \$600 over four years to a ceiling of \$750 by 1973. The intermediate levels include \$625 - 1970, \$650 - 1971, and \$700 in 1972. Thus, in 1973 a family of four will have a personal and dependency exemption of \$3,000, compared to the \$2,400 now permitted.

The standard deduction also provides relief in three yearly increases to the middle income taxpayer. The present standard deduction is 10% up to a maximum of \$1,000. This will increase to 13% with a maximum of \$1,500 in 1971, 14% with a top of \$2,000 in 1972, and finally reaching its peak with an allowable percentage of 15% and the same \$2,000 maximum in 1973.

The act also contains a low income allowance that provides for removal of millions of poverty level taxpayers from tax liability. Those persons with income levels below certain prescribed maximums will be exempt from tax liability altogether.

There is also a new rate schedule for single individuals limiting the percentage which a single person may pay above a

joint return taxpayer on the same amount of taxable income. This amount is 20%. Thus there will be four tax tables including the present singles table which will remain in effect for married individuals filing separate returns and surviving spouses and heads of households.

The maximum rate on earned income has been reduced from the present 70% to 50% in 1972. There is also a 10% minimum tax on what was previously considered preferential property. Also, the surcharge has been extended through June 1970 by P.L. 91-53. However, the rate is reduced to 5% with only 2.5% applicable in 1970.

While the Tax Reform Act of 1969 gives relief to taxpayers by amending many sections of the Internal Revenue Code, there are also amendments which put a greater tax burden on certain individuals.

The new rules for using the income averaging method, (see EQUITAS, Vol. 1 No. 2 for explanation) eliminate many of the complexities of income averaging by permitting the inclusion of capital gains, net wagering income, and net income from gifts, bequests, devises or inheritances in determining taxable income for averaging. Thus, if one has the good fortune to win the New York State Lottery, he may be able to use income averaging depending upon the amount won and his previous year's income.

The new rules for income averaging apply to computation years beginning after December 31, 1969, and to base period years applicable to those computation years.

The Act Sec. 311, amending Code Sec. 1301-1304, adds two limitations to those which are now listed in Code Sec. 1304 (b). These limitations would make the 50% maximum rate on earned income and the alternative capital-gains computation inapplicable for the taxable year

in which income averaging is elected.

The relief provisions for income averaging lowers from 133-1/3% to 120% the amount of average base period income to be taken into account in computing the tax on averagable income. That is, a taxpayer could avail himself of the income averaging provisions of his excess income in the current year, the computation year, is over \$3000 more than 120% of his average income for the four prior years, the base period years.

Thus, if a taxpayer's average base period income is \$18,000, he would need an adjusted taxable income of \$24,601 to be eligible for averaging benefits (120% of \$18,000 plus \$3001). Under prior law, he would have needed an adjusted taxable income of \$27,001 in order to be eligible for the benefits of averaging (133-1/3% of 18,000 plus \$3,001).

The new tax law also provides for a cutback on capital losses of individuals. The Act Sec. 513 (a), amending Code Sec. 1211(b) is for taxable years beginning after December 31, 1969 allowing \$1 of an individual's long-term capital loss to offset only fifty cents of ordinary income. The maximum deduction remains at \$1000. However, the \$1000 maximum deduction for long-term capital losses is reduced to \$500 in the case of a married taxpayer filing a separate return. Heretofore a married taxpayer filing a separate return could deduct as much as \$1000 of his own capital losses.

Technically, the Reform Act provides that losses from the sale or exchange of capital assets are allowed only to the extent of gains plus the smallest of: the taxable income for the year, \$1,000 or the sum of the excess of net short-term capital loss over net long-term capital gain, and one-half of the excess of net long-term capital losses over net short-term capital gains.

## Respect For Law Lesson Of Chicago Seven

By WILLIAM POLIGNANI

At least one lesson can be learned from the Chicago Seven conspiracy trial, and from recent television appearances by several of the participants. Institutions which ignore legitimate grievances, will be challenged and defiled.

For many, the central issue is whether we are to settle our disputes by legal and peaceful means or by illegal coercion and violence. Whether, as James Reston has said, "institutions are to deserve our respect or merely to demand it, without deserving it."

No sentiment should be wasted on defendants who deliberately set out to shatter the system of justice or on lawyers who want to make political points at a trial instead of getting their clients off. They are William Faulkner's "Snopes"—men with no respect for institutions, hard men who resent and want to destroy those with traditions and cultivation, men whose vision extends only to their own immediate desires.

What the Nation is facing now is the politics of derision and provocation. Sad to say, it is fun to get mad and it is fun to hate. This is today's fashion. Rage and hate in a good cause! Be vicious for virtue, self-indulgent for higher purposes, dishonest in the service of higher honesty.

There is no doubt that today's revolutionary is pursuing that goal with all the energy at his command. In that pursuit he is wholly cynical in his manipulation of others. The rights of the majority are irrelevant to him. He has no interest in rational examination of the

issues. He will devise traps to demean those in authority, destroying their dignity wherever possible. He will exploit the mass media, feeding their hunger for excitement and conflict.

Accordingly, criticism should also be directed to those who in a position of authority abuse their power. The reason is both simple and fundamental: Governments and judges must live by the rules even when challenged by rebels who refuse to do so. This is the basis of government under law, of the theory that has bound England since the Middle Ages and American constitutional government always.

Justice Brandeis' dissent in a wiretaps case has much meaning in the context of today's turmoil. "If the Government becomes a law-breaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means—to declare that the Government may commit crimes in order to secure the conviction of a private criminal—would bring terrible retribution."

Respect for law is essential, and yet everyone sees that respect eroding. Revolutionaries call for the defeat of the institutions because they are unjust, but often use cunning and deceit as their methods. The institutions call for respect for authority but pose anything but an example. "Without law," George Bernard Shaw said, "there can be no civilization."

# Dean's Day Alumni Homecoming Held



"Medical Malpractice" panel moderator, Associate Justice of Appellate Division Louis J. Cappozzoli (third from left) and panelists, New York Supreme Court Justice Harry B. Frank (center), Charles Kramer and Robert J. Bell (right) and flanked by President Joseph F. Periconi, Chairman Sylvia D. Garland and Judge Charles W. Froessel.

## Securities Symposium Deals With Federal Law

The Dean's Day symposium on Securities Registration was programmed to focus on an area of law that is becoming increasingly important to corporate and commercial practitioners. The in depth symposium on Federal securities law presented in recent issues of the New York commendable exploration of important facets of securities regulation. Yet, our law school, in common with many others, does not include in its curriculum any courses on securities registration nor does the subject appear to be touched on, even peripherally. The panel's purpose was to stimulate more intensive interest in the subject and accordingly addressed itself to a discussion on a very broad basis, recognizing the impossibility of doing more in the limited time available.

The moderator, MURRAY T. KOVEN, '38, opened the discussion with a review of the general purposes of The Securities Act of 1933 or the "Act" as it is called for simplification. The Act is one of the earliest examples of the salutary type of consumer protection legislation so topical today. It was one of a series of legislative enactments whose specific aim is the protection of the investor. Although the prospective purchaser of a manufactured product is afforded a prior opportunity to physically inspect -- and in some cases even to test -- the product, such an advantage, limited as it may sometimes

be, is not available to the purchaser of a security. Nor is he in a position to evaluate the reasonableness or fairness of the price he is asked to pay for the certificate representing his share ownership, although this is the only physical asset he acquires by his purchase. The aim of the Act is to require a comprehensive and complete written disclosure by a prospective issuer of all of the essential facts necessary to permit an investor to make an informed and prudent judgment as to the value of a security offered for public distribution. To that end, the Act lays down a procedural framework and empowers the Commission created by the Act to promulgate rules and regulations designed to define and compel full disclosure.

Disclosure is accomplished by means of the Registration Statement which consists essentially of the prospectus and of certain supplemental information and accompanying exhibits. There can be no lawful offer or sale of the securities until this Registration Statement becomes effective as provided by the Act.

Although it is theoretically possible for a corporation to independently register and distribute its own shares, this is ordinarily a grossly impractical route to becoming a publicly owned company. For a primary distribution to succeed, an initial

CONTINUED ON PAGE SIXTEEN

## Panel Discusses Medical Malpractice

The Medical Malpractice panel was chaired by N. Y. Supreme Court Justice Louis Cappozzoli, Appellate Division, First Department. The plaintiff's viewpoint was discussed by F. Charles Kramer who advocated the expanded liability that has been imposed on physicians in various jurisdictions. The three elements necessary to prove plaintiff's case are a doctor-patient relationship, departure from duty owing to the patient and that such departure was the proximate cause of plaintiff's injuries.

The most recent developments in the area however have been changes in the locality doctrine and the development of the doctrine of informed consent. The former of these has been modified from the traditional view that a patient is entitled to treatment which is standard in his locality.

Today due to advances in method of communication and medical education the quality of treatment cannot vary due to geographical differences.

The second doctrine is perhaps the most important from the plaintiff's viewpoint. By informed consent is meant that before a patient can undergo surgery the physician must inform him of all of the possible dangerous side effects which might result.

The defendant's position was outlined by Etoin Shrdlu of Etoin Shrdlu who asserted that as a practical matter a patient who is told all the possible dangers involved in surgery, a process which even in its simplest form involves extensive risk, will not consent to any surgery even if the most fundamental in nature. Shrdlu pointed out that the medical profession is also faced with a serious crisis as a result of the expanded liability being imposed by the courts in the ever rising insurance coverage they must obtain.

The contention is that competent physicians will be wary of per-

CONTINUED ON PAGE THIRTEEN

## Surrogates Conduct Symposium

On April 11, 1970, New York Law School Alumni Association celebrated its tenth Annual Dean's Day Alumni Homecoming at the Statler-Hilton Hotel. Approximately 200 lawyers attended.

The highlight of the afternoon program was the panel of four Surrogates, a former Surrogate and a prominent estate practitioner and author, consisting of Surrogate S. Samuel Di Falco of New York County, Surrogate John M. Keane of Broome County, Surrogate John J. McCall of Albany County, Surrogate Nathan R. Sobel of Kings County, Hon. Joseph A. Cox, former Surrogate of New York County, and Professor Homer L. Harris. Because of a sudden indisposition Surrogate John L. Ostrander of Saratoga County could not attend and Professor Homer L. Harris graciously took his place.

The Moderator of this interesting symposium was our own Prof. Joseph T. Arenson, who is counsel to the Public Administrator of New York County.

Some of the important topics discussed and reviewed by the panel related to the pedigree rule, confidential relationship and privileged communications, distribution of proceeds of wrongful-death actions, the effect of a waiver in a separation agreement, establishing the death of an alleged decedent, proving and disproving testamentary capacity undue influence and revocation, joint and trust accounts and contested discovery and accounting proceedings.

During Surrogate Di Falco's presentation of the law relating to confidential relationships he observed that lawyers should heed Judge Crane's admonition in MATTER OF PUTNAM, 257 N.Y. 140, to the effect that: "Attorneys for clients who intend to leave them or their families a bequest would do well to have the will drawn by some other lawyer. Any suspicion which may arise of improper influence used under the cover of the confidential relationship may thus be avoided. The law, recognizing the delicacy of the situation, requires the lawyer who drafts himself a bequest to explain the circumstances and to show in the first instance that the gift was freely and willingly made." "Such wills, when made to the exclusion of the natural objects of the testator's bounty, are viewed with great suspicion by the law, and some proof should be required beside the factum of the will before the will can be sustained." "In the absence of any explanation a jury may be justified in drawing the inference of undue influence, although the burden of proving it never shifts from the contestant." "\*\*\*\*

When questioned by Professor Arenson as to whether an attorney-draftsman-beneficiary would be permitted to testify if a contestant to the probate of the will objected on the ground of the Dead Man's Statute, Surrogate Di Falco replied in the negative and stated that since the attorney-draftsman-beneficiary was an interested party he would not be competent to testify. Professor Arenson then asked Surrogate Di Falco, "How could the attorney explain the legacy if he was barred from testifying?" To which the Surrogate replied, "By calling other witnesses who were competent to testify."

A lively discussion among the panelists then ensued. Somewhere of the opinion that the lawyer met his burden by attempting to testify. The majority agreed

CONTINUED ON PAGE FOURTEEN



Surrogates Panel participants were (l to r) Hon. John M. Keane Surrogate of Broome County; Hon. Nathan R. Sobel, Surrogate of Kings County; Professor Joseph T. Arenson; Hon. Joseph A. Cox, former Surrogate of New York County; Hon. S. Samuel Di Falco, Surrogate of New York County; Hon. John J. Mc Call, Surrogate of Albany County; and Professor Homer Harris.



"Securities Registrations" panel participants were (l to r) Murray T. Koven '38 (moderator) Roger W. Kapp, Barry C. Maloney and Hon. Martin Baron, '51.



Recipient of 1970 Distinguished Alumnus Award, Justice Darwin W. Telesford, standing with beaming Mrs. Telesford, flanked by Chairman Sylvia D. Garland and President Joseph F. Periconi.

## Judge Darwin Telesford Receives Distinguished Alumnus Award

The first order of business at the luncheon program, was the presentation by Chairman Sylvia D. Garland, assisted by Mary E. Cerbone and Georgina F. Reid members of board of directors of the Alumni Association of the traditional gifts to moderators and members of the two morning panels. The gifts are three inch bronze medallions, bearing the emblem of New York Law School mounted in lucite, each with a personalized inscription in remembrance and appreciation of their participation in the Dean's Day Program. Past President Harry Ostrov participated in the presentation of similar medallions to the members of the Surrogates' Panel.

President Joseph F. Periconi welcomed the alumni and guests and reported on the association's activities during the past six months. In presenting the Distinguished Alumnus Award, he made reference to Judge Telesford's long and distinguished service in government following his graduation from N.Y.L.S. and as a jurist for over a quarter of a century.

Judge Telesford received a standing ovation upon acceptance of the award, which is a large bronze medallion and inscription mounted on walnut. His remarks were warm, appreciative and a reflection of his deep affection for his profession and alma mater

Faculty Profile:

# Professor Abraham Reingold

Professor Abraham Reingold has been teaching Legal Research and writing at New York Law School for the past three years. He graduated from Brooklyn College in 1956. After one year at the University of Buffalo School of Law, he transferred to the University of Michigan School of Law, where he graduated in 1960. After passing the bar, he joined the firm of Clabman Rubinstein, Karish, Reingold and Rothbart and with which he remains a partner.

Mr. Reingold characterizes the earlier part of his life as somewhat "checkered". Being somewhat rebellious as a young man, and concerned about what direction he wanted his life to take, he left college to travel across the country. During this period, he took out seamen's papers, and sailed the Great Lakes for five or six months. Looking back on it now, he views it as a worthwhile experience, though he did say that, "I regret the lost opportunities of taking advantage of an academic atmosphere".

Professor Reingold believes that a course in legal research and writing is a necessary and essential part of a law students training. He said, "there is no question that this type of course has to be required".

The importance of the course in the first semester, as he sees it, is as an orientation into reading and analyzing a case. "By learning how to read a case, understanding the components of the decision, and realizing that each word is meaningful, the student begins to recognize the dynamics of how the law is constituted and made." The professor did indicate however, that this might also be accomplished by an orientation program prior to the opening of classes.

Viewing the program in its stated that "the first semester should remain as it is because of the orientation feature in addition to an initial experience with research and writing. However, the writing of the brief, or perhaps a case comment as well, should be postponed until the second year when the student has consumed a good deal of legal thinking and analysis".

Discussing curriculum in general the professor expressed his belief in the importance of offering seminars and electives

to the students. He stressed particular importance on the intimacy which only a seminar can create. "Law students being thrown together with their professor, in an informal setting, to trade ideas, to learn from each other is of critical value to one's education", he said.

However, he did say that, "for the first two years, it is the technical training which is essential. Property, contracts, torts, conflicts of law are necessities which can not be made electives". Professor Reingold further cautioned against an over-expansion of elective courses and seminars in the area of criminal law and procedure as a result of wide-spread student interest which, he said, "if indulged, would be top-heavy". He feels that integrated courses, like poverty law, which overlap various formal courses should, in seminar form, be given.

Professor Reingold believes it is the teacher's obligation to make a course interesting by making demands on the student intellectually and not to appeal to the lowest common denominator. But, he added that, "when a teacher finds out that a significant portion of the class is stuck on a point, or that the students are not fully prepared, then, demanding as he would like to be, he slows down and begins to cater to a more medium level of demand".

He is disturbed by what he sees as a lack of curiosity by too many students at NYLS to follow their classroom work. "Some part of this is due to the student body, and some part is due to the professor", he said.

"Too many students come into class waiting for instruction, and that is no way to learn law. We got rid of that method 100 years ago because of its lack of participation and excitement. Law schools today use the Socratic method of teaching, and it is undoubtedly the best".

Professor Reingold believes that, "if a student is interested, and takes everything that a law school like NYLS has to offer, he can be a top lawyer". But he indicated that that might not be realistic because "the student comes into NYLS discouraged after the first couple of weeks and I don't understand why". "Something must be done or

NYLS will continue to be the somewhat torpid place it is. A few students come out with shining colors because you can not repress a really curious person. We must direct ourselves toward saving the student in the middle or bottom by making law school into an interesting place".

Professor Reingold believes there is no excuse for disruptions by defendants. He is in thorough agreement with the decision of the Supreme Court of the United States with regard to restraint of defendants. "I regard the courtroom as one of the few places where there is at least the remnant of good manners and courtesy," he said. The professor added that, "they have been reduced to rules, which are the rules of civilization, and I for one insist that they be adhered to".

Discussing other contemporary issues, Professor Reingold viewed the nomination of Judge Carswell as "shocking and insulting, especially the refusal of President Nixon, in the fact of legitimate opposition, to withdraw it when proper reasons were put to him". He dismissed the endorsements of both Judge Haynesworth and Judge Carswell by the ABA, by saying, "I never regarded the ABA as representative of the legal profession nor as my representative".

## SBA Elections

CONTINUED FROM PAGE ONE

ing the fourth floor into a student lounge.

Also being considered is a plan to hasten the reporting of grades. Spivak spoke of more sweeping changes. "The curriculum has to be broadened. We have to get into social problems as well. ~~There aren't enough people getting involved.~~ As S.B.A. officers we have to provide leadership.

# The Phantom Arrives

By GEORGE FARKAS

I am sure many of us have wondered where he is. After all, he has hounded us through kindergarten: "Teacher, Johnny is dirtting the wall with the crayons!", through grade-school: "Teacher, Suzy didn't bring her book today.", through high-school: "Sir, Louis is calling you dirty names behind your back." and through college: "Professor, Charles Bingham uses Monarch Notes." Finally he has surfaced in New York Law School; "Dean, so and so is smoking!!!"

At first we should all express our gratitude, for now we can return to concentrate on our studies, rather than waiting with anxiety for the Phantom's appearance. However it cannot stop there. In the interest and welfare of the student-body, this reporter got an exclusive interview with the Phantom. Following is the transcript of that interview:

Rep.-How do you feel, eh, what should I call you?

Phantom-Oh, Phantom is all right. I am also called Anonymous, Unsigned, Puff the Magic Dragon.

Rep.-Could you tell us something about your background?

Phantom: Yes, I am a long lost cousin of the Rosenbergs, you remember them poor souls. Anyhow, I have been plagued in my young life with a sort of complex. It seems that I was too intelligent for anybody to be my friend, so I just turned against everyone and began telling. This however became an obsession by the time I was 10 so I'd spend all my time looking for people to tell on. But now I only deal with serious topics.

Rep.: Like what?

Phantom: Well, like smoking. These wretched smokers pollute the air, and in turn our precious bodily fluids which in turn gets to the mind. I must stop this right here and now.

Rep.: You mentioned topics, besides smoking?

Phan.: Of course. Well there is sex for example. Terrible, terrible thing. The human race will wipe itself out if it doesn't wake up. Don't you see, sex, smoking, drinking, loving. All these take our precious time away and in addition pollute our cells...

Rep.: You mentioned "our precious time". What do you do in your spare time?

Phan.: Quite a few things. For example, one night I curl up in bed with the Uniform System of Citations, or Shepards Citators, I sometimes read the telephone directory, etc.

Rep.: By the way, it has been mentioned by certain people that the real reason you write these anonymous letters is to "brown" the Dean. Would you comment on that.

Phan.: Who, who was the one that said that? Just tell me! I'll kill him. The nerve, why doesn't he come out and say it to my face. That pervert, talking behind peoples back, simply disgusting. I hope they catch him someday. Boy, would I like to wring his neck...

## Board Of Trustees

From time to time, pictures and brief biographical studies of members of the Board of Trustees, will appear in order to inform the New York Law School community of the makeup of its administration.



Mr. Sylvester C. Smith, Jr., a 1918 graduate of New York Law School, was President of the American Bar Association from 1962 through 1963 and was General Counsel of the Prudential Insurance Company for fifteen years. He is presently serving as Chairman of the New Jersey Highway Authority. Mr. Smith has been a member for five years of the American Bar Association Special Committee on Evaluation of Ethical Standards. This Committee proposed the Code of Professional Responsibility adopted by the House of Delegates in Dallas in August, 1969. Since 1964, Mr. Smith has been President of New York Law School.



Mr. Nathaniel L. Goldstein, elected three times as Attorney-General of the State of New York, was a former member of the Executive Committee of the National Association of attorneys-General and a member of the United States Delegation of the United Nations Narcotic Drug Commission.

"Hooked" on higher education, he is a Founder and first Chairman of the Board of Overseers of the Albert Einstein College of Medicine; Deputy Chairman of the Board of Governors of Hebrew University; and Deputy Chairman of the Board of Trustees of the Harry S. Truman International Center for the Advancement of Peace.



Mr. John V. Thornton is vice president of New York Law School and until recently, associate dean. He is currently the Assistant General Counsel of Consolidated Edison.

Mr. Thornton has been a teacher by avocation for nearly 25 years. While attending the Yale Law School he taught economics at Yale College. He has also taught law at Columbia Law School and St. John's Law School and law and legal medicine at New York University.

He has been a law secretary to the State Court of Appeals, associate director to a U. S. Public Health Service study and counsel to the Judiciary Committee of the New York State Constitutional Convention.



Charles W. Froessel, Chairman of the Board of Trustees, is seen speaking at the Annual Phi Delta Phi Dinner Dance.

# Active Spring Semester For Phi Delta Phi



Maurice Edelbaum, distinguished defense attorney, was the guest speaker at the annual Spring Dinner Dance of Dwight Inn held on April 25 on Governor's Island.

## Dwight Inn Active In Moot Court Competition

New York Law School students, under the tutelage of Professor Andrew Simak, are organizing a complete program of Moot Court Competition. The ultimate goal of the program is the development of a highly qualified Moot Court team which will represent the Law School in the National Moot Court Competition.

The participants in the program greatly benefit by sharpening their writing skills and developing proficiency in oral argument—two of the most important weapons in an attorney's arsenal.

At their first meeting, the Moot Court participants received instructions by Professor Simak, and praise by Dean Rafalko, who extolled the program and expressed enthusiasm over the large turnout. The students then formed teams and were assigned problems. Each team researched its particular problem and then submitted an appellate brief. The oral competition phase was slated to begin on Wednesday, April 22.

The International Legal Fraternity, Phi Delta Phi, Dwight Inn, is proud that five of its

Brothers are among the ten remaining students in the program. This illustrates the keen interest of fraternity members in the improvement of our education, and our willingness to actively participate in constructive efforts which will benefit all of our fellow students.

All of the students actively involved in the program will soon begin the arduous task of organizing a viable organization for next semester. They will serve as members of the New York Law School's Moot Court Board. Their duties will be to formulate a program by which students will begin competing for the Moot Court team in the first year of law school. The goal of the program is to eventually develop a Moot Court team which, by its third year of law school, will have had the benefit of two years of rigorous competition. Our hope is that with this training, we will go on to advanced rounds of National Competition, bringing prestige and honor to New York Law School and to its student body.



Kenneth Zebrowski, Magister of Dwight Inn, was named Phi Delta Phi Brother of the Year. He is shown (l) presenting Professor Milton A. Silverman with the first annual Professor of the Year Award in memory of Ira Stone, Class of 1970.

## Annual Spring Dinner Dance

Dwight Inn held its annual dinner dance at the Officer's Club on Governor's Island April 25th.

The highlight of the evening was a speech given by Maurice Edelbaum, a well-known New York Criminal lawyer. Edelbaum is senior partner of the firm of Edelbaum, Abrams, Feitell & Edelbaum and has been practicing criminal law for over forty years. He is former president of the Kings County Criminal Bar Association, member of the Board of Directors of Day Top Village and member of the National Association of Defense Lawyers in Criminal Cases. His interesting and thought-provoking talk was well-received.

Professor Milton A. Silverman was presented with Dwight Inn's Professor of the Year Award, an award that will be presented annually in memory of brother Ira Stone.

It was an enjoyable evening which provided a brief respite before the rigors of final examinations. Many graduating seniors attended, taking advantage of this final opportunity to meet with their classmates before embarking on divergent legal careers.

## Brother Of The Year

Kenneth Zebrowski has been named Dwight Inn's Brother of the Year. The award is administered by the International Council of Phi Delta Phi Legal Fraternity. Each chapter annually gives the award to the member whose active participation has done more for the brotherhood than any other.

The International Council then chooses regional winners and a Brother of the Year for the entire fraternity in the United States and Canada. Zebrowski was named in recognition of his inspired leadership and devoted service to the brotherhood and is presently in contention for the international award.

After graduation this year, he will be associated with the firm of Windheim, Bernard Prindle & Maidman in Nyack, New York.

In addition to the Brother of the Year Award, Dwight Inn usually awards Special Awards of Merit to those brothers who, by reason of their outstanding service to the fraternity are worthy of special recognition. This year Special Awards of Merit were awarded to Frank DiMarco for his work as Exchequer, Anthony Capetola for his activities as Pledge Chairman and Frank Nicolai for his competent organization of the Spring Dinner Dance as Dance Chairman.

## Silverman Receives Award From Dwight Inn

At its annual Spring Dinner Dance, Dwight Inn honored Professor Milton A. Silverman, first recipient of its Professor of the Year Award. The award was established in memory of deceased brother Ira Stone, Class of '70.

A permanent plaque in memory of Stone commemorating the annual winners of the award will be installed in the school Law Day with a suitable ceremony. The plaque was donated by Stone's classmates and the brothers of Dwight Inn.

Its purpose is to honor those talented and motivated members of the faculty whose outstanding performance during the year has made them deserving of special recognition.



Dwight Inn initiated ten new brothers this May. Seated (l to r) are Tony Capetola, Pledge Chairman, Jim Sullivan, Bob McGann and Mike Rehill. Standing are Ron Sablosky, Lyndon Parker, Ed Donnelly and Bill Dames. Not shown are Philip Miller and James Wolfe.



Newly installed officers of Dwight Inn, standing (l to r) are Len Pojednic, Vice Magister, Robert McGann, Clerk, Marvin Kramer, Equitas Contributing Editor, Ed Ryan, Magister, Joseph Miller, Exchequer and Lyndon Parker, Historian. Seated are Professor Franklyn Setaro, Faculty Advisor and Dean Walter A. Rafalko.

## New Officers Elected

For the seventy-first consecutive year the brothers of Dwight Inn met to elect their officers for the coming school year.

The competition for the presidency of the chapter which bears the old English title Magister, was particularly sharp. Two second year students, Edward Ryan and William Mannix were vying for the office and the race was so close that the first ballot resulted in a tie.

On the next vote Ed Ryan was elected to succeed Ken Zebrowski as Magister. Ryan, long active in the fraternity was a member of the Awards and Dance Committees. After the final vote Ryan pledged that the fraternity would continue to enlarge its role as a service organization to the school and mentioned a full schedule of activities planned for the fall.

Leonard Pojednic follows Bill Polignani as Vice Magister. Pojednic recently elected Notes

and Comments Editor of the Law Forum plans to work closely with Ryan.

Joseph Miller will succeed Frank DiMarco in the post of Exchequer, treasurer of the fraternity.

The positions of Clerk and Historian were filled by first year students Robert McGann and Lyndon Parker. They take over from Mickey Guerriero and Alan Schnurman who was recently elected to the Student Bar Association.

Marvin Kramer was elected Contributing editor to Equitas. Recently he was made Book Review Editor of the Law Forum.

These men bring talent, initiative and a sincere desire for achievement to the leadership of Dwight Inn and working with the brotherhood, the Student Bar Association and the student body promise to make significant contributions to the law school.

## Medical Malpractice

CONTINUED FROM PAGE ELEVEN

forming surgery because of the personal finances and professional risk to which he is exposed.

Judge Frank of the Supreme Court acknowledged that there is general confusion that exists on the part of both bench and bar as to medical malpractice cases but he felt that this confusion was due in part to the bringing of groundless suits by plaintiffs and also to the fact that counsel in preparing briefs does not confine himself to the law of the forum but cites doctrines followed by foreign states which leads to confusion of appellate judges.



## Justice For The Man In Uniform

By HON. MARIO BIAGGI, M.C.

Congressman Biaggi represents the 24th Congressional District, New York and is an alumnus of New York Law School. He is the sponsor of the House bill to revise the Code of Military Justice.

In 1950, the Congress of the United States established the Uniform Code of Military Justice to insure the protection of individual rights and the administration of justice for the American serviceman and to prevent the possible abuse of punitive power assigned to the military forces.

Under the Uniform Code of Military Justice, a complete judicial system for U.S. servicemen is established. Within its provisions, military courts are required to function under the same basic concept underlying our federal and state courts — to protect a person from possible infringements of constitutional rights.

This concept clearly assigns to the armed forces a primary responsibility: to safeguard its members from certain abuses which are expressly prohibited by the Constitution including the right to present grievances and to be protected against discriminatory treatment because of race, color, or religion.

Yet, although these safeguards and rights are seemingly guaranteed our men in uniform, the lack of an effective and fair system of grievance appeal in the Uniform Code of Military Justice makes the daily violation of these Constitutional safeguards a travesty on justice.

Through a series of investigations of military stockade conditions, tours of inspections at several bases and direct interviews with aggrieved servicemen it has become clear that human rights for our servicemen at the hands of their superiors has been a serious problem in our armed services for many years.

Evidence of racial disorders, brutality, inhumane treatment

and living conditions and even the loss of life occurring across our Nation, has cogently emphasized the need for an effective and impartial mechanism for the redress of serious grievances presented by our servicemen. An outbreak of racial disorder at Camp Lejeune on July 20, 1969, resulted in the death of a 20 year old Marine hero from Mississippi who had returned from Vietnam only to die in a racial brawl from injuries suffered after he was clubbed into unconsciousness.

Inquiries revealed that between January 1st and the first week of August of that year, the Camp Provost Marshal had received reports of 190 assaults on Camp Lejeune Marines in the nearby town of Jacksonville. These complaints made by servicemen prior to the incident were virtually disregarded because both officers and enlisted men were reluctant to admit that racial problems existed at their base. Other complaints made by servicemen regarding racial friction and discrimination were found to rarely progress beyond the company level with little corrective action taken.

Had a legitimate and effective avenue of grievance appeal existed, a proper and impartial investigation of the complaints could have been made and the racial disorders at Camp Lejeune could have been avoided.

Another area in which rights of servicemen have been often abridged concerns the brutal and inhumane treatment of prisoners and servicemen. Amendment VIII of the Constitution specifically prohibits cruel and inhuman punishment of prisoners and Section 893 of the Uniform Code of Military Justice also prohibits oppression and maltreatment of personnel by their superiors. Nevertheless there are many cases of abuse, brutality, inhumanity and racial and ethnic maltreatment of enlisted men.

Official reports from Camp Pendleton, California, indicate

that the Commanding General publicly admitted that brigades were brutally mistreating stockade prisoners and that prisoners were living in what he termed "primitive" conditions.

Inspections at Camp Dix revealed much the same situation in that stockade system. The unsanitary living conditions and the treatment accorded their prisoners were shocking and outright shameful.

Due to the narrowly defined provisions of the Code for the presentation of grievances now available to our servicemen, instances of such serious proportions as the ones described leave little desire to file appeals to a commanding officer under the "Complaints of Wrongs" section. Therefore, not only does the temper of our times dictate a change in military grievance procedure, but the very salvation of our military system demands the establishment of an impartial system of appeal in the military.

Legislation has recently been introduced in the U.S. Congress calling for the creation of judicial machinery which would allow an impartial review and determination of grievances concerned with unsafe and unfit military penal facilities as well as brutal treatment of military personnel in stockades and under color of duty.

In effect, this bill, H.R. 16391, would replace Section 938 in title 10 of the U.S. Code with an expanded and broader multi-leveled grievance system assuring our military personnel fair and equitable consideration and redress of their justifiable complaints.

This bill establishes a Military Justice Commission composed of eleven members appointed by the President, five of whom would represent each branch of the military forces, five would be appointed from the civilian judiciary, and an eleventh would in turn be recommended by the commission members for approval by the President to serve



HON. MARIO BIAGGI

as the Commission chairman.

The Commission would also have an investigative division under the direction of a General Counsel appointed by the President. Together with a staff of experts, the General Counsel would be responsible for the receipt, investigation and preparation of all complaints and to make appropriate recommendations to the Commission for trial.

Authorized to issue cease and desist orders, the Commission would also be assigned certain defined punitive powers in those cases heard before it and determined to be in violation of the provisions of the Act.

As a further safeguard, the Commission would have the power to initiate, at its own discretion, investigations to determine whether conditions proscribed by the Act exist or actions specifically prohibited have been or are being committed. This provision would allow for the periodic investigation of military bases and their stockades to ensure compliance and would protect those who, out of fear or intimidation, might fail to file reports of grievances with the Commission.

The bill also calls for the creation of a United States Court of Military Grievance as an appellate court for the cases decided by the Commission. Comprised of three civilian judges appointed by the President this court would hear cases automatically referred to it by the

portation of the players interstate was merely incidental to the ultimate end of conducting said exhibition. Beyond this determination, whether or not baseball was to be reckoned a part of interstate commerce, was by Congressional legislation.

Over thirty years later, the Toolson case was affirmed on this same principle but with respect to different circumstances. Baseball receipts from national radio and television media were nonexistent in 1922. In 1959 organized baseball received \$3,365,000 constituting 10.5% of its total revenue from these sources. Mass media was not an issue in the Federal Club case but the court might have decided differently in Toolson had this aspect been brought to bear relative to the Sherman Act.

The essential sections of the act are as follows:

Every contract combination in the form of trust or otherwise or conspiracy in restraint of trade or commerce among the several states is illegal.

Every person (group of persons or corporations, ed.) who shall monopolize or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several states is guilty of a misdemeanor.

It was the intention of Senator Sherman that it should be the power of the court, within their constitutional limitations, to control the harmful combinations intimidating the people of the United States.

The courts have adhered to the rule of law imposed by the Sherman Act in cases involving the sports of professional football and professional boxing. In 1955 boxing was considered a part of interstate commerce and therefore subject to the Sherman Act, even though it was defined

Military Justice Commission or which it would agree to review upon petition from either party to the action.

While the jurisdiction of the Commission would be carefully defined, any violations coming to its attention found to be outside of its jurisdiction would be referred to the appropriate judicial tribunal or agency for adjudication.

Complete justice for the man in uniform is long overdue. His human and constitutional rights have too long been trampled on for want of a fair and impartial system of grievance appeal. It is strikingly obvious that while tactics and technology are constantly under revision in the military, personnel and judicial policies have not kept pace with the development of human concepts. As a result, morale, pride and honor in our armed services has steadily declined.

The Military Justice system proposed could help restore military service to the proud and honorable status it so rightfully deserves. However, basic to this task is the recognition of the fundamental truth that — "When we assumed the soldier we did not lay aside the citizen."

## Surrogates Symposium

CONTINUED FROM PAGE ELEVEN

with Surrogate Di Falco and with his opinion that in these circumstances the jury should be properly instructed as to why the attorney would not be permitted to testify where an objection was made.

The panel was welcomed by Hon. Charles W. Froessel, Chairman of the Board of Trustees of our School, by Dean Walter A. Rafalko and Hon. Joseph F. Periconi, President of the Alumni Association. Sylvia D. Garland, a Director of the Association, served as Chairman of the Dean's Day program.

Dean Rafalko made an inspiring talk, and told the alumni of the important advancements made by the school. The Distinguished Alumnus Award was presented to the Hon. Darwin W. Telesford, Justice of the Supreme Court, State of New York, by the Association President, the Hon. Joseph F. Periconi.

as a local affair. In the international boxing case the court held that where a substantial amount of the revenue was received from national television and radio the business was engaged in interstate commerce.

Two years later professional football was determined to be within the category of interstate commerce by a similar holding. In a divided court the majority opinion maintained that the volume of revenue received from the television and radio media placed the business of professional football within the scope of anti-trust laws. Toolson and Federal Club were not stare decisis. Mr. Justice Harlan with whom Mr. Justice Brennan joined dissenting, emphasized an important point with which the Flood case will inevitably have to deal. If Toolson and Federal Club were not stare decisis respecting professional football, is the business of professional baseball sui generis as far as federal anti-trust laws are concerned?

There are no express or implied exemptions for organized baseball to be found in the Sherman Act. Toolson should be overruled on this basis and International Boxing and Radovich should be stare decisis for the Curt Flood controversy. The result would render organized baseball subject to federal anti-trust laws on the basis of the amount of revenue received from the television and radio media. The club owners would be subject to the same restraints as their counterparts in basketball and football. Most important however would be the end to the reserve clause and thus to the submission of ballplayers to inequitable baseball contracts. Baseball players would finally have bargaining power equal to their professional counterparts.

## Curt Flood Controversy Still Unresolved

Earlier this year, Arthur Goldberg, former Associate Justice of the Supreme Court filed suit in the Federal Court, southern district of N.Y., on behalf of baseball outfielder Curt Flood, alleging that organized baseball's reserve clause violates federal anti-trust laws, common law and the thirteenth amendment. This action for damages in the amount of three million dollars is being brought against the twenty-four major league baseball clubs, the Presidents of the American and National Leagues and the Commissioner of Baseball. The suit has the full support of the Major League Players Association.

At the end of the 1969 baseball season Flood was traded by the St. Louis Cardinals, for whom he has played for twelve years, to the Philadelphia Phillies. His ninety thousand dollar a year salary ranks him as one of the highest paid players in the game of professional baseball. Flood has refused to honor the trade saying that the "reserve clause", a fundamental part of every contract signed in organized baseball, binds a player to a team for life and in fact "makes him a slave." When a player is traded, the new team assumes the player's old contract or negotiates a new one. Such negotiations serve only to settle disputes over salary. Irrespective of the financial agreement between the ballplayer and management, the former is bound by the restrictions of the omnipresent reserve clause.

The primary issues to be considered in the controversy are: (1) Does the reserve clause deprive the ballplayer of his right to contract so as to render the clause contrary to public policy? and (2) Does the reserve clause,

which binds a player to the rules and regulations set forth by organized baseball violate anti-trust laws.

In order to determine the rights and obligations of parties to a contract one looks to the express and implied elements contained therein; two of these elements being the intention and circumstances under which it was drawn. Yet in regard to the contractual relationship existing between an organized baseball club and a professional baseball player these last two elements are only unilaterally considered. These concepts have been examined by the courts in light of the club owners as a separate entity unto themselves and disregarded in view of the right of the ballplayer to contract. Surely if the courts had taken ample notice, based on public policy, relief would be granted those who are systematically subjected to express submission of their rights under contract.

The relative rights of the baseball player within his contract have been contested before. In 1902 the Supreme Court of Pennsylvania rendered judgment against defendant baseball player by restraining his playing for one ball club after an alleged violation of a previous baseball contract. The decision was based on the theory that defendant's unilateral concession to plaintiff of certain rights and privileges were justified as part of his consideration for receiving such a large salary. The provisions of the contract were found to be equitable and the consideration adequate. By complying with the regulations stated in the reserve clause, the player invariably forfeits his right to bargain with the ball club for his wares. Where manage-

ment maintains payment of the salary contracted for and otherwise adheres to their obligation within the contract, the player becomes assignable at their will.

The reserve clause binds a player to the whim of the management of the ball club. In effect it renders the player a mere chattel to be traded, bought or sold whenever and to whomever the hierarchy desire. Professional baseball players do not have the right to "play out an option" which is afforded to all professional basketball and football players. By choosing to play out his option a player agrees not to play ball for one year, subsequent to which he may negotiate with any team that wishes to sign him. A baseball player can sign with another club only when he is released as a free agent. Yet if he should so sign the new team "owns" the player just as the first team did. However most professional ball clubs will refuse to sign a player who has left another club against the consent of management. If this policy were not followed and an action brought, the court would likely restrain the player from participating with the new club as per the reserve clause.

In 1922 the question of whether professional baseball was to be considered within the definition of interstate commerce came to task in the Federal Club case. Mr. Justice Holmes held that although the business of baseball provides public exhibitions for profit, and although this necessitates the transportation of the participants between different states — it is not interstate commerce. In the opinion of the Court the business of giving an exhibition of baseball games for public enjoyment was considered strictly a state affair, and the trans-

# Law Day Ceremonies At New York Law School



Phi Delta Phi President Kenneth Zebrowski unveils Professor Of The Year Plaque which was inaugurated this year in memory of a deceased brother and classmate, Ira Stone.



Newly Elected Officers of the Student Bar Association were installed at Law Day Ceremonies. They are (L to R) Patricia Carney, Secretary; Mark Brenner, Vice President; Alan J. Schnurman, President; Joel Spivak, Treasurer; and Michael Guerriero, Law School Division Representative.

## Dean McKay Addresses Students

By PHILIP R. PAPA

New York Law School's celebration of Law Day 1970, was highlighted by its guest speaker, Robert B. McKay, Dean of New York University School of Law.

Dean McKay's lecture was entitled: "Justices of the Supreme Court - Advice & Consent; New Wrinkles in an Old Gown."

In the lecture Dean McKay presented a concise history of the formation of the Supreme Court and its development up to the present day.

He used this historical summary as a vehicle to describe the Supreme Court as a prime mover of some of the great social and political reforms of the nation. He attempted to explain the mystique which has developed around the court and which recently has fallen into disrepute in the public eye, citing recent developments such as the investigation and possible impeachment proceedings against Justice Douglas to demonstrate this point.

He concluded his lecture by expressing the need for protecting the Supreme Court's independence and immunity from outside pressure, particularly in the light of the momentous questions soon to be taken up by the court in the areas of capital punishment, abortion, the Draft and the legality of the Viet Nam War.

The Law Day ceremonies concluded with the dedication of a memorial plaque to Ira Stone, a student at New York Law School who passed away last year. The dedication took the form of a "Professor of the Year" award, to be annually presented by Dwight Inn of Phi Delta Phi. This year's honor was bestowed



Dean McKay of New York University Law School gave Law Day address at N.Y.L.S. Dean Walter A. Rafalko is seen at right.

upon Professor Milton Silverman. The plaque will be permanently displayed in the law school.

The newly elected officers of the Student Bar Association were also introduced and officially took office. They are: President, Alan Schnurman; Vice-President Mark Brenner; Treasurer, Joel Spivak, Secretary, Patricia Carney; and Law School Division Representative, Michael Guerriero.

President Schnurman delivered a brief speech praising the progress made in the area of student representation. He expressed the hope that the future

will bring even greater advances in the development of Student Administration relations.



"Engineers are trying to build a car that will stop smoking—I'd like to find one that will stop drinking."

# YOU HAVE A FRIEND AT CHASE MANHATTAN



Our Worth Street Office—  
Worth Street at Church St./Tel. 552-7096

**THE CHASE MANHATTAN BANK, N.A.**

Member Federal Deposit Insurance Corporation



# Reflections On Earth Day

By KAREN BERGER

Charlie DeLaFuenta knew how to fill up the holes in a college newspaper better than anyone. It would be five in the morning in the rundown print shop on Fourth Street and Charlie, the editor-in-chief, would stand over ink-smudged page proofs and mutter something about there being "too much white space" on the editorial page.

"We'd better put something in fast — let's go with a "for-good, against-evil" edit.

If you had spent more than a week with Charlie you knew what that meant. Forget about the war, campus administration policies, student takeovers -- too controversial for 5 a.m. With less than two hours to get out a paper, stick to something everyone on the staff could agree on. Better food in the caf. Lower bookstore prices. The campus charity drive.

Within minutes Charlie was filling in the holes with his "for-good against-evil" edit. The last minute tactic that always worked.

Charlie DeLaFuenta writes for the New York Post now, but if he was editing a college newspaper again he would know exactly what to do with Earth Day. Save it for a 5 a.m. crisis. You don't get any arguments on clean air and water.

It makes for passable student journalism but awful politics. And what politicians across the country have done is to use Earth Day to fill up the holes in their campaign platforms, to get rid of the "white space" in their position papers.

Environment. Their "for-good, against-evil" issue. No controversy. Get the kids away from the war protests, the Panther trials. Refuse to recognize the Moratorium but call attention to the clean-up in Union Square.

If any good came from having the day at all, and the press

calling this the issue of the decade, it is in knowing that environment will become as explosive an issue in the '70's as the war and Civil Rights were in the '60's.

"Look, brotherhood and peace weren't controversial either. But I can't help thinking about what happened in Selma in '63 and what happened in Chicago in '68" a first year day student said. "It's not going to be any different with environment. Wait'll we start taking on the government and the corporations."

Many law schools in the city already have. At Columbia students help attorneys prepare briefs in prosecutions against pollutant companies. At Brooklyn Law School professors led a day-long Environmental Teach-In. It is an issue more and more lawyers will be concerning themselves with in coming years. They will be joining social activists in what economist Carl Ogelsby calls, "potentially the most radical mode of conducting our lives. It forces us to totally rethink our relationship to the environment. No conscious ecological is forgetting about the blacks, students or draft resisters - he is just attempting to find a new way to announce the death of "Amerikka" and the birth of the second American revolution transformation."

But there was little talk of revolution on Fifth Avenue as people participated in Earth Day demonstrations. That will come later if it comes at all. Instead there was music, and people tossing flowers to each other and cops directing traffic with daisies in their gun holsters. There were politicians marching along with high school students and businessmen eating lunch on the sidewalk.

"God, I hope this helps," a gray-haired man with a camera

said.

"Fantastic. This is beautiful," a sophomore at City College said.

"All we are saying is give 'earth' a chance." The song came up everywhere you walked.

When did it all begin? Some people point to Rachel Carson's SILENT SPRING, the book that eight years ago warned of the dangers of pesticides to the environment. The "New Yorker" in an ad that appeared in the New York Times several weeks ago, claims credit for bringing pollution to the public's attention twelve years ago. But Beryn Morson, a doctoral candidate in philosophy, traces garbage consciousness back to a lesser known source - "Mad Magazine". "Its most important contribution to American culture was its fantastic insight into the meaning of garbage. There was always a feeling in reading the magazine of civilization about to be overwhelmed by huge piles of the stuff.

The eternal struggle of mankind could be expressed in terms of janitors and refuse. In this country there are millions of people walking around uniquely aware, as never before in history, that what man throws away is out to get him. People are aware of planned obsolescence and one-way, no-deposit bottles and somewhere in their subconsciousness they remember seeing it all before. Fifteen years ago in MAD MAGAZINE."

By two o'clock the taxis and the trucks and the cars were back on Fifth Avenue and the smell of exhaust fumes was everywhere. It was early in the afternoon but the signs of frustrations were beginning to show.

"Dammit, all these people want to do something but nothing is going to happen," a Bayside High School senior wearing a brown-fringed vest said.

His friend agreed. "Remember how great everyone felt in Washington? There were thousands of kids at the Moratorium but that didn't change anything and this won't either."

The next day Secretary of Interior Hickel announced plans to issue a right-of-way permit for an oil-pipeline across Alaska, while members of the DAR approved a resolution calling the environment movement "distorted and exaggerated. This is one of the subversive element's last steps. They've gone after the military and the police and now they're going after our parks and playgrounds."

What began as a "for-good, against-evil" issue can't continue that way. As one newsman pointed out, "this is not a safe crusade. It means treading on more special interests than ever before in history. The politicians may have to come out against Motherhood by the time this whole subject has been explored.

"All we are saying is give earth a chance."

## Securities Symposium

CONTINUED FROM PAGE ELEVEN

and perhaps prime essential is sponsorship -- the concerned interest of an "underwriter" or what is in a truer sense an agent of the corporation for the sale of its shares. MR. ROSSER SCOTT REEVES III, managing partner of Bacon, Stevenson & Reeves, member firm of the New York Stock Exchange spoke on several aspects of the underwriter's participation in the offering.

He was followed by ROGER W. KAPP, ESQ., of Donovan, Leisure, Newton & Irvine who outlined some of the problems encountered by counsel to the company in the preparation of the Registration Statement. W. B. HUFFERD, C.P.A., partner in the national accounting firm of Ernst & Ernst then spoke of the accountant's role in the preparation of the supporting financial data required in conformity with Regulation S-X under the Act and of a recent accounting release issued by the Commission (Release #115) intended to inhibit the distribution of shares by moribund companies.



## Alumni

In order to receive an application for your "JURIS DOCTORATE DEGREE," and/or membership in the Alumni Association, please fill out this form.

MAIL TO: STUDENT BAR ASSOCIATION  
NEW YORK LAW SCHOOL  
57 Worth Street  
New York, New York 10013

I would like an application for a Juris Doctorate Degree. [ ]

I would like an application for membership in the Alumni Association. [ ]

Year Graduated .....

Name .....

Address .....

CITY STATE ZIP CODE

## PLACEMENT SERVICE

Please contact me for job opportunities for students at New York Law School.

Full time - \_\_\_\_

Part time - \_\_\_\_

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_

Send to: Placement Service  
New York Law School  
57 Worth Street  
New York, N. Y. 10013

Telephone: (212) 966-3500 ext. 41

EQUITAS  
New York Law School  
57 Worth Street  
New York, New York 10013  
(address correction requested)

Non-Profit Org.  
U.S. POSTAGE  
PAID  
New York, N.Y.  
Permit No. 9934

University of Washington  
Law Library  
310 Condon Hall  
Seattle, Wash 98105