4-30-1975

Equitas, vol VI, no. 6, Wednesday, April 30, 1975

New York Law School

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

Recommended Citation

https://digitalcommons.nyls.edu/newspapers/124

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.
LoPresti, Muller Win Top SBA Posts; LSD to Berger by Elliot S. Horowitz

SBA Elections Week at NYLS has come and gone, leaving in its wake a new slate of officers duly chosen by the student electorate.

In the extremely close Presidential race Stephen J. LoPresti was elected with a plurality of votes. The new president, a Bronx-based Fordham graduate entered the Evening Division of NYLS in September 1972. He was forced to leave his studies a few months later, having been called to active duty with the National Guard. In September 1973 he started school again, as a full time student in the Day Division. LoPresti's first encounter with Student Government was in high school, and never being one to remain reticent when constructive ideas were needed, he has remained involved throughout his student career.

The Vice-Presidential seat at NYLS is filled by the runner up in the Presidential race, Campus Assistant Liz Muller. Liz Muller made an unsuccessful bid — albeit very close — for the number one spot, and hence will once again be serving in the capacity of V.C. Muller is intimately associated with the Theatre Arts. He has worked at various times as a Disc Jockey, Night Club entertainer, Actor and Director. He has authored several plays (two of which are in production) and presently is Executive Producer of Actors Theatre, Inc.

The offices of Treasurer and Secretary will be respectively filled by Art Goldberg and Kim Taylor, who served as SBA secretary this past year, renominated.

Rounding out the slate, the office of L.S.D. representative, won this year by Lori Berger, a first year day student, Berger, who comes originally from upstate New York is a graduate of City College. She has traveled extensively and enjoys going to the theatre and concerts as well as biking and horseback riding. She does not skydive!

LoPresti, Muller Win Top SBA Posts; LSD to Berger

Equitas Picks New Board

Tricarico, von Nostitz Editors

by Diane Isbuehwit

With much pride and pleasure, I announce the appointment of our new editorial board. Jim Tricarico and Glenn von Nostitz will assume the positions of co-editors-in-chief, they are both first year students, and have been invaluable as staff members this year. Glenn seems to favor writing, while Jim has worked on layout and production.

Jim came to us from Fordham, where he was a political science major and a member of Pi Sigma Alpha National Honor Society. He has worked as an editorial assistant for the magazine of New York Business, and last summer was an intern in the N.Y.S. Attorney General's Office.

Glenn graduated from SUNY at Albany. He held many posts on his school paper, worked for the Student Association of SUNY, and was active in campus politics. Glenn majored in both political science and history.

Three other first year students will join the new editors-in-chief as members of the editorial board. The three new executive editors will be Ray Marcus, Ed Sanocki, and Bruce Torino. Our new executive editors are both well-rounded and well-traveled. Ray works at Fordham law school as a student in the evenings, and from 1949 to 1956, Judge Froessel was a trustee of the School's Board of Trustees, a plank which he is expected to leave his studies a few months later.

During this period, from 1951 to 1956, Judge Froessel was a trustee of the School's Board of Trustees, a plank which he is expected to leave his studies a few months later.
Moot Court Competition: Students Vie for Nationals

by Glenn von Nostitz

The competition for membership on the NYLS National Moot Court team has begun. The first of three rounds of moot court debates started last week, with some twenty-four record-year students invited to present cases before student judges in the third floor Court Room.

From this competition among sixteen semi-finalists will be chosen to participate in the second round of competition, to be held on April 28th and 29th. The eight winners of this second round will then go on to debate in the final round on April 30th, at which time the final team of two two-person teams will be chosen. They will be presented to the school at the annual Scholarship and Awards Exercises May 1st, and will ultimately debate at the national level competition held in early November at the Association of the Bar of the City of New York. The second round of the NYLS competition will become members of the twelve-person moot court board.

According to Moot Court Board Chairman Butch O'Connor, idea has been the most successful to date in the organization's history. The entire competition set up for the national team has been expanded and completely revised; this is the first year that two separate competitions are being held, one in the fall for practice, and one the following spring for the national team has been expanded and completely revised; this is the first year that two separate competitions are being held, one in the fall for practice, and one the following spring for the national team.

O'Connor also pointed out that the amount of student interest in moot court activities has increased significantly. The number of students involved in the organization has "nearly tripled" this year. O'Connor says he would like to see the organization expand even more next year, perhaps to the point where the Moot Court Board will take charge of running the writing and research classes offered in first-year courses, in exchange for academic credit.

Funding for the Moot Court Competition, as well as for other organization activities, is coming entirely from the students, rather than the student organization. In contrast to the Moot Court organization, all others involved in the organization have "nearly tripled" this year. O'Connor says he would like to see the organization expand even more next year, perhaps to the point where the Moot Court Board will take charge of running the writing and research classes offered in first-year courses, in exchange for academic credit.

LSD Parley Meets Here, Heats Panel Discussion

by diane insh.bizwitz

An animated discussion of the criminal justice system was the highlight of the recent spring conference held in N.Y. by the Law Student Division of the American Bar Association. The conference was attended by eight of the schools in the second circuit. It was organized by Ron Goldfarb, assisted by Alan Smilow and held at New York Law School. Participating in the panel discussion were Judges Victor F. Biggs (Judge), Assistant District Attorney of Queens, and defense attorney and Professor of Law, Henry Rothblatt.

Each of the panels spoke briefly concerning their own perspectives on the criminal justice system. The discussion centered around the question of whether or not plea bargaining is an acceptable practice in criminal cases. Although the crowd was not large, participation was great and everyone seemed to enjoy the project.

After lunch elections were held. Connie Raftis of Brooklyn Law School was elected Circuit Governor. An evening student at St. John's, John Palaia, was elected Li. Governor. Business was concluded when the President of the LSD, Dave Edelman, spoke about Jurican, the new computerized job-search program sponsored by LSD.

Davis Says Students Wary Of New Clinics, Electives

by Anita Miller

As the time draws closer for selection of next semester's academic program, this writer did a superficial survey of New York Law's expanding academic offerings and student response to them. As a first year student about to exercise choices for the first time in planning a program, I decided to start with the ten interviewing Dean Davis concerning the School's philosophy of curriculum, in order to get an overview from which to plan my own legal education.

Dean Davis stated that the first year's required courses teach the new student to think like a lawyer. If one doesn't make it in the first year, the New York Law School faculty feels, one will never think like a lawyer. Having made short shrift of a large portion of this first year class, the Dean concurred that those of us who are still around, having mastered that special art of thinking, by the second year should be able to go into any course, regardless of how abstruse and massive it is with comparative ease. Forty credits of the law curriculum comprises required courses; in order to fulfill the remaining forty-five credits needed for the J.D. degree, the student must choose from an ever-expanding catalogue.

The New York Law student may, in his or her second and third years, choose to play it safe, fortifying him or her self with an arsenal of courses guar­anteed to bolster preparation for the Bar Exam, a random sampling of faculty opinion con­cerning courses necessary for adequate bar preparation ranged from a minimum of 22 credits (required courses), to a maximum of 81 credits, in addition to the required work mentioned above. Depending on one's faith in Bar Review courses, that leaves even the most conserva­tive student at least 14 credits with which to finally luxuriate in the enjoyment of "ahem edu­cation." Other students may feel confident enough to extend this luxury to 23 credits of exotic electives and clinics.

...New York Law is building an extensive program of elective and clinic courses. The clinics, in particular, should appeal to students in this period of few employment opportunities for graduating attorneys. They are an excellent placement device, if used well, since they offer both practical experience and contacts which may prove helpful.

To date, student response to clinics has been light, with the exception of those for which stu­dents must be screened by faculty for admittance ... the Federal (and State) Judicial Clinics and the Administration of Criminal Justice Clinic. There are 13 stu­dents enrolled in the Poverty Law Clinic, 13 in the Legislative Clinic, 8 in the State Judicat Clin­ic, and 9 in the Consumer Pro­tection Clinic. One could probably comfortably accom­modate 15 to 20 students. Students seem wary of committing the...
**Obscenity Law Paves New Complex Questions**

by Jim Connors

The first Amendment of the Constitution permits free expression as follows: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

There are no exceptions inherent in the First Amendment; any exceptions are the result of Judicial construction. It is for this reason that history and the evolution of the First Amendment and Bill of Rights remain important, even today.

The first time the question of the constitutional validity of obscenity law was squarely presented to the Supreme Court was in Roth v. United States (354 U.S. 476 (1957)). In the Court's opinion, written by Mr. Justice Brennan, the Court held that material utterly without redeeming social importance, obscenity, is not within the area of constitutionally protected speech.

But the huge problem of determining what constitutes obscenity, which has plagued the court since the Roth decision, continues to present a problem. How does the judge apply the jury and constitutional standards in the pornography issue? My argument first centered around the belief that there should be "community standards" to apply. Does the judge apply the jury and constitutional standards? Does he/she apply the "community standards" to apply? Does he/she apply the jury and constitutional standards? Does he/she apply the "community standards" to apply? Does he/she apply the jury and constitutional standards? Does he/she apply the jury and constitutional standards? Does he/she apply the jury and constitutional standards? Does he/she apply the jury and constitutional standards? Does he/she apply the jury and constitutional standards?

The pragmatic argument gave way to a theoretical one dealing with First Amendment rights and prohibitions. The gist of this argument is that the courts should not intervene to define or enforce a moral code of any type. In the view of some, this system of having courts interpret the law would be far more efficacious than having the government define and enforce a moral code. In the view of others, this system of having courts interpret the law would be far more efficacious than having the government define and enforce a moral code. In the view of others, this system of having courts interpret the law would be far more efficacious than having the government define and enforce a moral code. In the view of others, this system of having courts interpret the law would be far more efficacious than having the government define and enforce a moral code. In the view of others, this system of having courts interpret the law would be far more efficacious than having the government define and enforce a moral code.

However, in the summer of 1971, the Burger Court, in Miller v. California (413 U.S. 15 (1973)) reaffirmed the standards by which the trier of fact determines whether a work is obscene, dealing with First Amendment rights and prohibitions. The gist of this argument is that the courts should not intervene to define or enforce a moral code of any type. In the view of some, this system of having courts interpret the law would be far more efficacious than having the government define and enforce a moral code. In the view of others, this system of having courts interpret the law would be far more efficacious than having the government define and enforce a moral code.

The editors of this source have determined that the material of the taken, whether or not one agrees with the ap­
Admissions Committee Ponders

How to Determine Future Success?

by Bill Jettom

This is part two of an article on the complex situations surrounding admission at NYLS. Part one focused on some of the factual circumstances facing those involved with the process. The following deals with analysis of part of the circumstances. It is an enormous problem for seven people to read through some 4,000 applications. There is a few specific problems which this article has barely touched but which need to be addressed. I think first, there is the entire area of the validity of ET's base scores and promotions. They are valid indicators of future success in law studies? Who could also predict integrity, diligence, concern for a client, contribution to the bar, or even concern to the public at large? Positive proof to the contrary, I think, that seven people experimenting in admissions can respond to the urban legal problems. The objective vs. subjective criteria argument could be argued indefinitely. If it is true that this is the most qualified in the school's history, there someone ought to listen to at least two professors who have stated that they have found this year's class to be notably lacking its share of outstandingly bright law students. The class is competent, but there are some students who stand out, according to these professors. Unless the committee is convinced of the validity of the numbers received from ET's with every application, I think they are taking a serious risk with a more diversified, yet qualified, student body.

Finally, if NYLS is serious about becoming a major urban law school, the problem of the school's reputation as "Harvard with a social conscience" must be addressed. Though a group such as BALEA does help with recruiting and groups such as the Council for Legal Education Opportunity refer candidates, the school must conduct an intensive effort of its own to attract and retain good students. To this end, the B.A./J.D. Urban Studies Program which NYLS is establishing with City College will hopefully attract more minority applicants, as well as urban-oriented students in general. This program is an imaginative one and illustrates the type of initiative a school and an admissions committee is able to take towards the improvement of both the school and the community.

A school can never be made better than the quality of its student body. As this school begins to change, a corresponding change may be seen in the admissions process. But the admissions committee in a position where they must not only reflect change— they can also direct change. While at the present the school plans seem recruiting in the Philadelphia area and in Western Massachusetts, more could be done to the school's advantage. While academic excellence must be a primary goal in all cases, more "educated" risk taking regarding GPA's and LSAT's might bring some surprise for the committee in terms of both scholastic success and contribution to the school and to the profession.

The school has committed itself to change. To a large extent the quality and degree of that change will be decided by NYLS admissions committee.
In the past two years the new students have moved on to illustrious justice. Congratulations to Assistant Chief of Indictment and Prosecution Salvador Pino for their initial training and praised his aide's record as unswerving integrity that represents one of "exceptional judgment and abilities while at the D.A.'s office headed by the late Attorney General Robert M. Morgenthau, as well as toward beefing up the law library with urban materials. At the dedication of the library was announced, a notice was posted to students, Professor Pino also indicated that some of the money would go to Assistant Chief of Indictment, Robert Marmorstein, and Gary Kalmar, mailbox at 47.

The New York Law School and its future. Who of those who entered in 1972 have not been more affected by that change, than any other student attending the school. We have been caught between the old and new, and have been experimented with. Perhaps one of the most 

No longer having to write contracts.

What were they complaining about? The changes were taking place and felt that future benefits might or might not be available. A committee was set up to get out a new admissions informing older students. A committee of Older Students was Columbia's 20-30% older students. Members agreed to serve as special faculty salary levels, such as also toward befitting up the law library with urban-related materials. But the biggest change will be in the new type of student the program will bring to NYLS. There is no doubt that they will be very bright — one City College spokesman estimates that they will be the top 2% 35% of the City College class. But more importantly, they will be deeply interested in being set up to get out a mailing list of new admissions informing them of the friendly services available. "We have been caught between the old and new, and have been experimented with. Perhaps one of the most...

The program is designed to give the student a feeling of the transition to the new New York State court system.

The New York Law School and its future. Perhaps one of the most innovative features of the New York Law School is its Administration of Criminal Justice Clinical program. The basic thrust of the seminar is to transpose the theory of criminal justice to its application in the trial area. The program is designed to give the student a feeling of the transition to the new court system.

Presently there are 21 students enrolled in the program. The student accepted into the program is required to work two one-half day sessions per week, in the prosecutor's office to which they are assigned. They are not paid, but four credits are earned for the successful completion of the program. In addition to a student's assignment in the prosecution's office, he or she is required to attend a class one hour and fifty minutes each week. The program has about 25 students in the D.A.'s office in the five counties of New York City, the U.S. Attorney's office in the Southern District of New York, and the prosecutor's offices of Bergen County, N.J. In New Jersey.

Last semester, students were also assigned to the office of the top trial prosecutor of narcotics cases in New York City. During their hours in the various prosecutor's offices, students engage in a number of different activities. Each student is assigned to participate in trials as well as the observation of actual trials. Students also have an opportunity to assist in pre-trial matters such as motions, pre-trial hearings, and pre-trial conferences.

Prof. Pino also indicated that the reaction of the students has been one of enthusiasm because of the continuous volume they shake in such a program. Students who have taken the program have done quite well in their respective assignments.

In various prosecutors were reluctant to take students due in part to the personal reasons that it is difficult for the D.A. to properly train a student in such a short span of time. However, the NYLS students, according to Prof. Pino, have proved to be valuable in the work they do in their respective offices. There is more a widespread acceptance of the activities of the various prosecutor's offices.

Programs such as the Administration of Criminal Justice Clinical program can act as a stimulus to the student in the fulfillment of his legal wants and can be more acceptable to the student than any other student attending the school. We have been caught between the old and new, and have been experimented with. Perhaps one of the most

Weekend workshops were presented by Joe Young, interested evening students wishing to participate in the current activities in this area.

Monday, April 14th, at noon, the Old Student Caucus assembled, led by Diane Iushewitz and Frances Salton, Anita Miller, Robert Marmerstone, and Gary Kalmar. The purpose of the event was to provide students with an opportunity to ask questions and to hear from the panelists. The panelists included: Robert Koenig, one of the early pioneers of the New York Law School, and Gary Kalmar, president of the Old Student Caucus.

At its planning meeting on Monday, April 14th, at noon, the Old Student Caucus assembled, led by Diane Iushewitz and Frances Salton, Anita Miller, Robert Marmerstone, and Gary Kalmar. The purpose of the event was to provide students with an opportunity to ask questions and to hear from the panelists. The panelists included: Robert Koenig, one of the early pioneers of the New York Law School, and Gary Kalmar, president of the Old Student Caucus.

At its planning meeting on Monday, April 14th, at noon, the Old Student Caucus assembled, led by Diane Iushewitz and Frances Salton, Anita Miller, Robert Marmerstone, and Gary Kalmar. The purpose of the event was to provide students with an opportunity to ask questions and to hear from the panelists. The panelists included: Robert Koenig, one of the early pioneers of the New York Law School, and Gary Kalmar, president of the Old Student Caucus.

At its planning meeting on Monday, April 14th, at noon, the Old Student Caucus assembled, led by Diane Iushewitz and Frances Salton, Anita Miller, Robert Marmerstone, and Gary Kalmar. The purpose of the event was to provide students with an opportunity to ask questions and to hear from the panelists. The panelists included: Robert Koenig, one of the early pioneers of the New York Law School, and Gary Kalmar, president of the Old Student Caucus.

In the past two years the new students have moved on to illustrious justice. Congratulations to Assistant Chief of Indictment and Prosecution Salvador Pino for their initial training and praised his aide's record as unswerving integrity that represents one of "exceptional judgment and abilities while at the D.A.'s office headed by the late Attorney General Robert Marmorstein, and Gary Kalmar, mailbox at 47.

The New York Law School and its future. Who of those who entered in 1972 have not been more affected by that change, than any other student attending the school. We have been caught between the old and new, and have been experimented with. Perhaps one of the most...
EQUITAS Editorials

You Gotta Believe

At one of the recent seminars which was held at the School a graduate was overheard saying that with all that was going on he was beginning to believe all the things he had been hearing about the school. He failed to realize that he had also made a point of attending many of the program which were being held, so that he had personal knowledge of the changes which have taken place at NYLS. Too many of our graduates are relying on hearsay.

In the past weeks we have had the dedication of the Charles W. Freesol library which was attended by a who’s who of the bar and the judiciary. The first annual Walter M. Jeffords lecture series was held at the school with Dr. Stefan Trachtel, chief prosecutor of the Canton of Bern, Switzerland presenting three outstanding lectures. During the semester the Alumni Association has presented a number of “practical” seminars on Estate Planning, and Insurance. NYLS is offering you the opportunity to take advantage of these programs which are the result of the needs of the practicing bar and the NYLS graduate in mind.

You owe it to yourself to come down and see what is happening at our school. You too will begin to believe.

Exit Old, Enter New

This issue marks for many members of EQUITAS staff the last in which they will be active student participants. These graduating students have for the past three years been the backbone of this newspaper. To them and to the members of the graduating class who managed to find time from their studies to be active in student organizations such as SBA, Women’s Caucus, BALSA, Phi Delta Phi, Moot Court, we would like to say Thank You.

Without our student organizations the school would be a drab place indeed. With them we have had a fuller educational experience. Many who are graduating have devoted so much of themselves to these organizations that they feel that the students taking over will never do as good a job. Let them rest assured that when they assumed their roles those who preceded them had the same trepidations.

Congratulations

EQUITAS wishes to congratulate the newly elected student leaders of NYLS and we hope that the issues raised in the recent campaign will not be reduced to rhetoric in the coming year. GOOD LUCK!

A Free Press

EQUITAS has never been subject to any attempt at censorship, review or direction by either the administration or the faculty of NYLS.

Many students have questioned EQUITAS on this and always have received the same answer; we print any responsible news worthy or incisive story. Our news stories attempt to be both objective and incisive. We will continue this approach to journalism and we will defend it.

Recently certain members of the SBA have questioned the obligation that they (the SBA) should decide what is news worthy for EQUITAS. Our answer for this is quite simple: Forget it.

Fortunately such irresponsible statements have been limited to a very few. EQUITAS acknowledges its responsibility to the NYLS community to report the activities of the SBA. However, not just the activities that a choice few may want to see in print. A free press has not only the privilege of ascertaining the facts but the obligation to do so.

This is not to say that anyone should invade an individual’s privacy. But when a student representative of our school acts in his/her representative capacity for any reason, the students have a right to know. Again, certain occurrences may not be of view or may be so personal as to warrant discretion in their publication. But who’s to decide this? The SBA? Certainly not.

Our duty is clear, we must report the news as objectively and precisely as possible. We must take a stand on important issues and we must provide a forum for all other points of view.

AN OPEN LETTER

Supervising the Bar Review Courses, Who Will Take the Responsibility?

In the spring a law student’s thoughts turn to the Bar Exams. As so many of us know, the process of selecting a Bar Review Course is an agonizing one, and it is not being made any easier by the various Bar Review Courses.

The courses should be telling us how their course is run and exactly what procedural differences exist between them. Instead we are treated to the statistics of who can juggle their figures to come up with what looks like the best percentages. All one is left to do is to compare one and another, and after all the Bar Review courses, are substantiating their figures on the state wide basis. Raw data is meaningless. A course with a 99 pass percentage would be worthless to you, if you fit exactly the characteristics of the 1% who failed.

In the absence of any of the authorities charged with administering the Bar in New York State requiring substantiation of all the figures being thrown about, we urge you to carefully study the course materials. Find out how the courses are taught, what times, and where, and then make your decision based upon what one will make you least miserable for the six week period prior to taking the bar.

EQUITAS congratulates the Class of ’75 on their approaching graduation. The best of luck throughout your careers, and please do not forget NYLS...
Rites Neglect Of Students

Dear Editor:

It was not surprising and delightful that this student learned that classes on April 16 were cancelled. As finals week graduation swiftly approaches an understanding that exams are to be heaved seemed, for any number of reasons one could imagine.

However, in my great dismay I found that the reason was the dedication of the Hütten. The new, dynamic Administration, as the be-stated, has decided to thrust NYLS into the hearts and minds of the metropolitan area, instilling pride, the alma and alumni to the dedication. But, in his haste to publicize and invite, whoever was in charge of this project proves to me to be more efficacious in its end, and not the best. Why were the students—the haptless participants of this community—left out in the cold? Especially for the graduating class will this be their only face, a cold shoulder. We've been told that we are the largest, in 95% of the Administration. It seems that one must be Dr. Weary—himself the Provost. It is beyond my belief then, that one must not only stand upon the stone and depend an event that was touted to be so important for the school after four years of change; through three or four years of change; through every one of us but too numerous (painful as it is beyond my belief). Weary survived 'the New Administration' and, most hurtfully, a joke or a prank practiced on a student is not be followed by an insult directed at one who is not present to defend himself. One cannot ask: What does anyone or unconscious motivation or attitude towards the student, what if a student choose a black student as his subject of ridicule and scorn? What makes the choice select a "humorous" one? Certainly the need to ridicule and subordinate him by attributing to him the stereotypical "I sure is glad to be here in the whole, groups such as the racist mentality in need of immediate rehabilitation. To make a joke at a joke at the school in fulfilling its purpose in preparing students for the real responsibilities our profession entails.

Financial support of student groups is an entirely separate question, and in this regard, the Dean's position is far ahead of that taken by Equitas. An open list of activities as the SBA, Law Review, Most Court and Equitas itself, which are intended for all students and which benefit the school as a whole, such as the Republican Club, Lawyers Guild and Women's Caucus are established primarily for and benefit a small segment of the student body. Furthermore, it is the latter's right to contribute to their support, even those students who disagree with or actively oppose with their actions and aims, though the allocation of funds from student fees is a clear violation of the rights of every student. Further, such allocations are of doubtful legality (I.S.B regulations on institutional aid as in NYLS) and is unquestionably immoral. Thomas Jefferson rightly denounced as tyrannical any attempt to force persons to pay to support ideas they do not share.

Further, because inevitably some requests will be denied, one can safely predict the charges of dis­crimination, thus this issue of the student, and as such, the situation as lawsuits which occur against professors is ridicule. It has been held to be defamatory

NOT FUNNY

Dear Editor:

Laughing at ourselves was appre­ciat­able; but to laugh at another, especially a former class­mate, was most distasteful. William Allen Apfel 2d Year

NLC Explained

Dear Editor:

Just a short letter to clear up some cloudy issues about the NLC. The NLC, lawyer for the Student Or­ganization of the New York Law School, is a legitimate student organization unanimously recognized by the NYLS administration and by the sponsoring attorneys, from Prof. Cyril Meisner, to noted customer lawyer Donald Ross. Due to the problem over student fees we have been hard­pressed to meet with the student or­gan­ization in its entirety, and, in order to get the best bargain possible, we fully intend to continue to sponsor speakers who will contribute to the progress of the legal profession and discuss pertinent contemporary legal prac­tices. With or without fund­ing from student fees, the N.L.C. is to continue discussion forums, eventually to print a stu­dent newspaper, and to hook up with prominent guild attorneys

The Pangs of Parting

OUTLOOK

By FRANCES BROWN SALTON

Outside, the crows are crowing for attention, hint­ing at the end of the springtime to come. This year, I feel strangely unresponsive. Though usually my heart is ready to respond even to some errant warm and beautiful thought, these crows are not soar­ing wild. Nor is it my studies that weigh me down. My books lie neglected around me. Why do I not dance to spring's tune this year, dragging leafeater down to slow flow of time. Many memories tug at my heartstrings; I find I am in love...

Spring promises June . . . graduation . . . too many fare­wells!

It was two years ago, my first spring at law school, that I suddenly recognized I had fallen in love with New York Law School. Old fashioned, cramped-in-one-building New York Law School, with its basement food-dispensing machines! I had discovered the qualities of Dr. Weary, of Professors Simak, Feasterlott, Koffler, Setaro, Dugan and Schwatta. Even the sternness of them, it turned out, had lovable bones. What student could resist loving professors who share their knowledge so generously? Or Manuel, Bobby, Antonio, Raphael, Carmelo, Judy, Diane, Esther, Dorothy, Audrey and the others who really run the school.

Many of us, smitten, attended summer school (some a second summer also), thus cutting the annual separation in its teeth. We made new friends, and most of all, new love. New York Law School, measuring for lack of contact and concern with its alumni, has not joined itself to this future alumni, even before the momentous event of June the eighth. Sincerely,

Stephen Gevirtz, 3D

Charges Racism

Dear Editor:

If it was simply a case of bad judgment or misguided solicitors I would defer comment on the April Fool's special issue of Equitas. To the extent much of the evidence issues poor judgment or that its general nature was defacto, I leave for others to say, I, however, wish to note for the record my objection to one example of insidious racism, such this law school can do without.

While racism, oft-re­cog­nized as a self-man­ifestation in hundreds of ways in American society, though not exhaustively discussed, the per­ception operational definition of racism should be raised over, raised over, raised over, raised over. Race is based upon the way people actually behave, not upon any logic, but, to be brief be brief, or what they subjectively consider. Thus, racism may be viewed as an atti­tude, action or institutional structure that subordinates one group or another of color. Often, over use of color in the eyes of color. Other visible characteristic related to race, but are never sub­dued in more indirect forms of racism.

In the recent special issue of Equitas a black student, known mostly to second year students, was ridiculed by Equitas. Because it is inappropriate to publish this libel, it is sufficient to characterize the false statement of their illegalities as contained to mock passing flunk today by him quoting from Proverbs.

We would like to welcome any­one to observe racial bashings of students, lectures, meet­ings, and hopefully in the feature next N.L.C. Edition, times and places will be announced on posted signs.

Loren Bally
Maria Silberman
Kendall Lewis
Richard Cohen
Martha Levin
Nick Crusson
Jay Tischkow

Urges Self-Support For School Groups

Dear Editor:

It was my pleasure to read your 25th editorial on political organizations ("Politics?"") ignores a major mo­delling of student activities, the fund­ing of student organizations.

That this supervision of student activ­ities and the students' committee of the school makes the student activity of the student organizations.

The student activity of the student organizations, that is to say, organized last semester is a project, was most distasteful.

Thus the position most consis­tent with the rights of all students and the interests of the Administration, as I have been held to be defamatory.

It has been held to be defamatory...
DA Responds to Police Charges of Leniency

By Rich Cohen

Times change and so does the District Attorney's office of New York City. But, still, Robert L. Laskier, Assistant District Attorney in charge of the Criminal Court Department could not categorically deny that another Lenny Bruce type incident could not occur. If times and tastes change again, the D.A.'s office may be forced into another unfortunate situation, such as the one which occurred with the prosecution of the legendary comic.

"The D.A.'s office handles obscenity case as does any other case," Laskier declared. "When a case comes in, it is judged on its merits and then a decision is made whether to prosecute." Contrary to many of the complaints heard from the Police Department, the D.A. does not refuse to prosecute. However, due to the overload of more serious criminal cases, obscenity cases are lower on the list of priority prosecutions. However, where children are exposed to pornography, or where there is any evidence of the involvement of organized crime, the D.A.'s office will move much more quickly. In responding to police charges that the D.A. just stands by while organized crime syndicates control the distribution of obscene material, the D.A. will ask for the police to show them any evidence that they can find in this regard. "In fact, he claimed, he has seen no cases where organized crime is involved.

One factor hampering obscenity prosecutions is the problem of enforcement. By the time any case reaches the stage of getting to trial, the press coverage usually enhances the offender's lament to such a great extent that a conviction only serves to make him a "Perio King," Laskier claimed that many pornographers try to get busted in order to increase their profits.

Laskier believes that the recent Supreme Court ruling on obscenity is so vague that any convictions pursuant to it may be unconstitutional. However, no major cases have arisen since the decision has proceeded as far as a jury trial.

Confronted with the complaints of Police Inspector Charles Peterson (Harlem Division), Laskier just laughed: "Potter is a good friend of mine and I feel that the D.A.'s office has a very good relationship with the Police Department." He denied allegations that his office refuses to cooperate with the Police. He added that, in addition to prosecuting, the D.A. is also attempting to combat pornography by participating in the Mayor's Times Square Commission, which is trying to clean-up the Mid-Town area.

When asked about the merits of prosecuting a "victimless crime," Laskier concluded that, although other crimes deserve greater attention, if prosecution actually deters the marketing of pornography, then there is merit to it.

The Supreme Court remanded many obscenity cases to state courts in order to ascertain whether the state statute and law under Miller guidelines adequately defined the material to be regulated. The New York State statute held the New York statute in Miller v New York 413 U S 50 (June 28, 1973). In June of 1974, the New York legislature amended the Miller standard in the Sexual Freedom Act by adding Code §28.00, effective September 29, 1974, in order to conform to Miller.

Section 1, subdivision one of section 28.00, the 800' obscenity law, as amended by chapter 93 of the laws of 1974, is to be amended to read as follows:

"1. "Obscene." Any material or performance is "obscene" if (a) the average person, applying contemporary community standards, would find that material, considered as a whole, lacks serious literary, artistic, political, or scientific value."

Miller rejected the old "utterly without redeeming social value" test as the constitutional standard of material unworthiness of the protection of the First Amendment. This relaxed considered the ban on the prosecution.

Miller also gave "a few plain examples of what a state statute could define for regulation" under law of A) Patently offensive representations or depictions of ultimate sexual acts, normal or perverted, actual or simulated and B) Patently offensive representations or depictions of masturbation, excretion, or sexual functions, or sexual exhibition of the genitals.

Miller also held that "there is no state to structure obscenity protest against evidence of a national community standard would be an anachronism in facility due to the diverse communities in the nation. The bar and it is a general public too this mean that the court was functioned back in this state. However, in Hamling v United States 417 L Ed 2d 500 (June 24, 1974) Justice White explained that in Miller the most of the material or to require that the community be "statewide" instead of national. In fact, the standard was not required to be "any geographical area," but that each juror was entitled to draw on his/her knowledge of the standards of a "responsible adult standard".

...Legal Aspects (Continued from Page 3)

...Legal Aspects (Continued from Page 3)

way, sexual conduct sufficiently defined by the applicable state law, and C) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

Miller rejected the old "utterly without redeeming social value" test as the constitutional standard of material unworthiness of the protection of the First Amendment. This relaxed considered the ban on the prosecution.

Miller also gave "a few plain examples of what a state statute could define for regulation" under law of A) Patently offensive representations or depictions of ultimate sexual acts, normal or perverted, actual or simulated and B) Patently offensive representations or depictions of masturbation, excretion, or sexual functions, or sexual exhibition of the genitals.

Miller also held that "there is no state to structure obscenity protest against evidence of a national community standard would be an anachronism in facility due to the diverse communities in the nation. The bar and it is a general public too this mean that the court was functioned back in this state. However, in Hamling v United States 417 L Ed 2d 500 (June 24, 1974) Justice White explained that in Miller the most of the material or to require that the community be "statewide" instead of national. In fact, the standard was not required to be "any geographical area," but that each juror was entitled to draw on his/her knowledge of the standards of a "responsible adult standard".

The Supreme Court remanded...
Consumer Law

Focus on Funerals

by Jim Pagano

This is part two of an article dealing with the growing field of consumer law in the state of New York.

An industry which came under much criticism from the public was the funeral industry. Unscrupulous directors, taking advantage of a person under great emotional stress, were charging unreasonably high amounts for funeral arrangements. The bills presented contained a lump sum figure. The consumer never knew what the specific charges were. Section 3440-a of the Public Health Law, upheld in "State of N.Y. v. J. S. Garlick Perkades Memorial Chapel, Inc.," requires that a funeral director furnish an itemized statement of funeral arrangements. The bills presented contained a lump sum figure. The consumer never knew what the specific charges were.

The consumer never knew what the specific charges were.

Wednesday, April 30, 1975

Tips On Taking the Bar From One Who Knows

by Bernard Marc Magil

Class of "74

I remember vividly the visceral discomfort that accompanied any thought of the upcoming Bar Exams while I was a senior at New York Law — even during "regular" exam weeks. My thoughts were elsewhere ("... but is this gloop going to be on THE exam... "). And I remember all too well the endless stream of suggestions, comments, advice and warning from all sundry members of the law firm. If I'm not mistaken, all of it was contrived, most of it ran against my nature.

I of course made the same mistakes that all of my classmates were prone to 3 times of such outrageous pressure and demands to pass on the first shot. However, any regulations were geometrically magnified, and I had somehow crammed myself into registering to make both the New York and Florida exams within earshot of each other. So, if nothing else was accomplished by the New York Law, I deem myself an expert at taking a Bar Exam without going batty. And the non-pornographic thoughts on such an examination may be swayorthy for the attentions of seniors. So, while it is early enough before July to date my thoughts to actually mean something, I herewith offer my pearls of wisdom for your consideration:

ONE. No matter how high you rank in the class, and no matter how bright you think you are, you MUST take one of the Bar Review Courses after you graduate. It is unfortunate that what you are taught in law school will serve only to enable you to pass the Bar — that exam is designed to test certain factual matters and writing skills, and aside from a very few concrete "tricks" (as taught by Professor Arenson), you will almost certainly fail without a course. (Just because, coincidentally, I was the agent for Martin does not mean that it will be better for you over the other courses — it just turned out that way for me and many others).

TWO. Until the course begins in June, don't touch a Bar Review book, and don't sit in on advantage taped lectures — it will only lessen your motivation when the final push starts, and you'll need every ounce of motivation and energy. Because when the course starts, you must eat, live and breathe it. Your John should have Tests on the floor, your car should abound with UCC, etc. Half the battle (at least) is a pay-up — if you succeed, you're more likely to pay-up.

THREE. As there is an element of luck in the venture, don't hurt yourself by writing like a chicken. If necessary, PRINT on the essays. If the examiner can't EASILY read your paper, it is likely that he may not read it at all — and that means a zero out of ten. Spend most of your time thinking before attempting to even touch your old quill... write an outline, and only write it when you're certain you won't change your mind on the outcome half-way through your response. You won't believe how much that happens.

FOUR. Finally, the night before the Bar Exam, relax. Retire early. (Sure, it's important. Sure you want to study, etc. But the course is not over!)

We stock all publications required for law study including:

LAW STUDENT AIDS
National Centre for 40 Years

UNIVERSAL LAW BOOK CO., INC.,
Woolworth Building,
233 Broadway, New York, N.Y. 10007
(212) 227-0163

We stock all publications required for law study including:
casebooks
hornbooks
review books
textbooks
case outlines
case digests
law summaries
law cassettes
dictionaries

EQUITAS
Page 9
MY WAY

by JIM PAGANO

"And now, the end is near and so I face the final curtain ..."

MY WAY

"It is very difficult to write a good-bye column. It is equally difficult to say good-bye. In my three years at NYLS, we have gone through many changes. The things which seemed so vital then, seem so insignificant now. The things which seemed so distant then, are upon us now. These changes have left their mark. But, it was worth it.

I am very grateful, because I am to be a member of the legal profession. In a few months, hopefully, I will be admitted to the New York Bar. I have made many new and different friends. I have had the chance to do things which are very valuable. But, I know things here could be much better, if we all work together. The following observations are made in the hope that my experience can help you to make things better.

To my successors at EQUITAS, I am confident that you will carry out your role at NYLS in the tradition of those who came before you. To the newly elected SBA, I hope that you will be as forceful when force is necessary; tolerant, when tolerance is required.

To the student body, I urge you to channel your collective energy and talent in a proper and meaningful direction. Don't be so quick to fly off on 'well intended but not productive' tangents. Although you are cast in an adversary situation, more is accomplished by working together for a common good. Learn how to direct ego toward positive action.

To the faculty, I thank you for giving me the tools and helping us develop them. Law school can be an enjoyable experience.

(Continued on Page 12)

THE GRAPE VINE

Finest Greek & Oriental FULL BAR

(FREE DRINK WITH THIS AD)

Reasonable Prices in Artistically Serene Atmosphere

MONDAY TO SATURDAY

11:00 A.M. - 11:00 P.M.

Specialties:

- Shrimp a la Tourkolimano
- Gyro
- Exochiko
- Shish Kebob
- Mousaka

Just two blocks away

229 WEST BROADWAY
On The Corner

Corner White Street - 925-1495

Wednesday, April 30, 1975
Touro College Law School
To Stress Jewish Tradition

by Anita Miller

Touro, a young, small, unaccredited college located in midtown Manhattan, plans to open Law School in September of 1973. The Law School has as its Director of Planning Eugene V. Bentive, former dean of the Yale Law School and Under Secretary of State in the Johnson administration. Touro, named for one of the first Jewish settlers in America, is a secular college formed under Jewish auspices. Its law school, in addition to offering the traditional law curriculum, will also emphasize the contribution of the Jewish legal tradition to contemporary legal systems.

Touro hopes to establish a Research Institute of Jewish Law in the law school, and in this regard, to make a significant contribution to American society through directing its emphasis to the Jewish legal experience. Touro faculty members will be affiliated with this Institute, which will also host visiting fellows. Lawrence Kohan, Associate Director of Planning for the Law School, stated that the Jewish tradition of civil law and commercial law, under which the Jewish people governed themselves for centuries should be re-examined in terms of the legal which it might provide for contemporary social problems. Jewish Law is one of the oldest legal traditions, and yet it fell into disuse, after the French Revolution. Even in Israel, which follows the English common law tradition, Jewish Law only in rare situations.

The Jewish legal system has been worth it, although not beyond criticism. But, it was worth it.

The hassles of year one were sadly compounded by sensing that the system is an old one, in need of renovation. Students got the impression that the owners were content to overlook the leaks springing up everywhere in an effort to preserve past glories. But year two brought in a new captain who commanded the long overdue overhaul. For the first time in decades, the glories of tomorrow were present, and as the crew began getting their sea legs, anxieties began to dissipate. No longer did each exam threaten to break over the top, and the sickness accompanied each call to the inspector. In the beginning, the ship was an old one, obviously in serious need of repair, while the newer ones in the immediate area seemed to be in much better condition. battalion could stand, with muscles screaming from places never before used.

Some of the odds with tenacity and teamwork, however, that can't be dissipated. No longer did each exam threaten to break over the top, and the sickness accompanied each call to the inspector. In the beginning, the ship was an old one, obviously in serious need of repair, while the newer ones in the immediate area seemed to be in much better condition.
In Honor of Judge
Charles W. Froessel

And in Behalf of the New
Froessel Library. May We
Share in this Great Event.

U.S. BUILDING MAINTENANCE CO., INC.
342 MADISON AVENUE • NEW YORK, N. Y. 10017
867-2680
WILLIAM L. OTTO
Touro: New Law School Announced

(Continued from Page 1)

and for its fellowship and scholastic needs. On that footing, it seems sensible to go forward with our plans to start operations this fall."

Maurice Kaplan has been appointed Dean of the Law School. Professor Menachem Elon, a Diplomat of the Tel Aviv University of Law and Economics and Director of Hebrew University's Institute of Jewish Law, will be a Visiting Professor of Law during the 1975-76 academic year. Other faculty appointments include Edward dePomignan, whose legal contributions have been in the field of criminal law and its relationship with psychiatry, Mordica Rosenfeld, an expert in corporation law and procedure, and Professor Herbert Schaff, visiting Professor of Law from Bar Ilan Law School in Israel, an expert in labor law and torts.

Touro has begun to process applications from students. The first year class will consist of 60 undergraduate law students and 15 graduate students, who will be selected on the basis of L.R.A.T.E. scores and previous academic accomplishment, as well as by a demonstrated interest in Touro's unique curriculum and philosophy. Touro will have housing accommodations for students and faculty, since it believes that the residency is a valuable part of the educational experience, and because it wishes to attract scholars from all over the United States and other countries.

Since it is unusual for a new institution to establish a professional school in its early years and since Touro will be unique in its shared emphasis on the traditional American law curriculum and the Jewish legal experience, the legal community will watch with development of interest. EQUITAS

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

Clinics

(Continued from Page 2)

to ten hours of field work required in the clinics, in addition to the two classroom hours a week for the 4 credits awarded for the course.

Dean Davis stated that he believes that every student should take at least one clinic during his second or third year. North America, stated the Dean, is the only area in the world that lets lawyers loose without supervision. Our country suffers, believes Davis, because American attorneys are not prepared for the problems of practice when they leave academic institutions. The Clinic program is the best solution to the improvement of American in-
education to date, but it can only become institutionalized if students choose the clinic route in planning their academic pro-
grams.

After the shock of the first round of finals, this writer still finds a twinge of anxiety, as well as the temptation to "play it safe", calculating both courses for the Bar and courses which have a reputation for being easier. In planning a program, Bell says that superficial survey of the current clinic offerings has convinced him that we will be shortchanging our own legal education, as well as shortchanging the student's efforts to obtain his standing in the legal community, and claims that commencing the first year with at least one experience outside the lecture hall in the seminars remaining.

'Ve did it My Way'

(Continued from Page 10)

experience. Really! Exams and grades should be a learning experience and not an ego trip.

To the administration, I applaud your efforts and accomplishments to date. However, the AALS should not be an end, but rather a beginning. But if the admissions committee are very important, but a full-time placement office is vital.

To the alumni, I offer the following thought. NYLS made you what you are today. I believe we all possess a moral obligation in this regard. Whether economic, placement, or advisory support, I urge you to support us. Such support speaks to your status as a professional and will be long, full, special to the value of your diploma.

I would be remiss in not saying a special thanks to two very important groups of people, the second floor assistants and the maintenance crew. Both of you made my stay here much more enjoyable.

Please let's move on and make the necessary changes. But, let's not change, just for the sake of change. If it works, let it be. If it doesn't, let us all—students, faculty, administration and alumni alike, make it work.

"The record shows, I took the blows and did it my way."