The Issue at Bar...

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Bar Pass Rate Lowest in Recent Memory

Eddie Westfield Jr.
Founding Editor

NYLS suffered the lowest passage rate on the NYS bar examination among law schools in the state. Administered on July 27, 1999, only 58 percent of first-time test-takers from NYLS passed the examination. NYLS also registered the biggest decline in the bar passage rate, down 12 points from 70 percent in July 1998.

A survey conducted by the New York Law Journal showed eight of the 15 schools in the state having pass rates above the statewide average on the 1999 exam. The schools are: Benjamin N. Cardozo School of Law at Yeshiva University, 74 percent; Hofstra University School of Law, 74 percent; State University of New York at Buffalo Law School, 73 percent; Pace University School of Law, 67 percent; Syracuse, 65 percent; City University of New York School of Law, 64 percent; Touro College, Jacob D. Fuchsberg Law Center, 62 percent; and NYLS, 58 percent.

None of the 15 Law schools within the state saw a rise in the bar passage rate from 1998. New York University School of Law posted the highest pass rate with 94 percent, dropping from 97 percent in 1998. Columbia Law School did not experience a drop in bar pass rates, remaining at 92 percent for both the July 1998 and July 1999 exams. The statewide average pass rate dipped from 78 percent on the July 1998 exam to 75 percent this year.

In addition to NYU Law and Columbia Law 92, schools that beat the statewide average in 1999 are: Cornell Law School, 91 percent; Fordham University School of Law, 86 percent; Albany Law School, 78 percent; Brooklyn Law School, 78 percent; and St. John’s University School of Law, 78 percent.

Corrective Measures

In recent years, The school has taken steps to improve students’ chances of passing the bar exam. Associate Dean for Academic Affairs Ellen Ryerson told the L that NYLS has been trying to raise the consciousness among students of the of the challenge bar examinations present. Mandatory closed book examinations on required courses and elective “bar” courses, such as Corporations, the adding of Evidence to the required curriculum, and a pilot-course entitled Principles of Legal Analyses are a few recent measures.

“We will continue to turn up the volume,” Dean Ryerson added.

At the start of this semester, NYLS offered third-year students a chance to take the course entitled New York Law in the National Perspective. The course is designed to get students accustomed to the rigors of the bar exam. NYLS will work closely with Prof. Marino, who also teaches New York Practice, to develop other strategies to assist students in passing the Bar.

“New York Law in the National Perspective will be a very valuable class for students who plan to take the Bar,” said Dean Harry Wellington in an interview. Dean Wellington also noted that the events of late have not knocked the School’s mission out of focus.

“As always, our mission is to turn our students into excellent lawyers,” Dean Wellington stated. “Law school is not about cramming; it is about learning and thinking well from the beginning. Student must work hard and prepare. Passing the Bar should be their top priority.”

Controversy Arises over Blood Drive

Mark Demetropoulos
News Editor

During the fall 1999 semester the Student Bar Association decided to investigate the possibility of holding a blood drive at NYLS. Upon investigation, Dawn Falco, chair of SBA vice-president, found that NYLS has not held a blood drive since 1994. Falco, concerned that there may be a legitimate reason for this fact, investigated the issue further. Upon further investigation, she discovered a controversy between NY Blood Center, and its refusal to accept blood from certain gay men, and the NYLS’ anti-discrimination policy, which is found in the student hand book.

NY Blood Center’s screening process restricts some men from donating blood. These men include, “any man who has had sex with another man since 1977, even once.” An advisor from the NYLS, Office of Student Life directed Falco’s attention to the NYLS anti-discrimination policy, which includes extra-curriculum activities. The policy states that

“no aspect of the programs shall there be difference in the treatment of persons because of ... sex, sexual orientation, or any other classification that deprive the person of consideration as an individual, and that equal opportunity and access to facilities shall be available to all.”

In December of 1999, The SBA sent out a statement to all student organizations about the SBA’s intentions to hold a blood drive at NYLS in order to find how NYLS students’ opinions about the controversy. Most of the organizations were in favor of holding a blood drive, however, some were against it. The Public Interest Coalition (PIC) released a statement explaining that the NY Blood Center’s restriction, “misinforms heterosexual students about the relation of gays to the spread of HIV and AIDS, perpetuating [the student’s] misconception that HIV and AIDS are ‘gay diseases’.” To emphasize this misconception, the PIC statement also cited to a source from the Gay Men’s Health Crisis saying that the “fastest growing population of those infected with HIV or AIDS are young heterosexual women, ages 18-24.”

Conversely, a representative from the Federalist Society, an organization which is in favor holding the blood drive on campus, cited to Medical Doctor Jeffrey Satinover’s book, Homosexuality and the Politics of Truth, which says that “the number one risk factor for HIV/AIDS is anal intercourse with a man.” The Federalist Society representative further emphasized that NY Blood Center’s restrictions are for “legitimate health reasons and that discrimination is necessary when it comes to health and safety issues.”

To date, officially, the NYLS administration has not refused to hold a blood drive on campus, but they have not encouraged having a blood drive either. The SBA, wishing to avoid any unnecessary problems, plans to hold the blood drive off campus in March, most likely across from NYLS on Church Street.

We have issues.
NYLS Names Its Next Dean

Eddie Westfield, Jr. Founding Editor

On November 23, 1999, NYLS Board of Trustees Chairman Arthur Abbey announced that Richard A. Matasar will become the 15th Dean of New York Law School. Mr. Matasar previously served as dean at the University of Florida Levin College of Law from 1996 to 1999, and as dean of the Chicago-Kent college of Law between 1991 and 1996. He will succeed Harry H. Wellington who will live in Manhattan.

Looking forward to changes ahead

Mr. Matasar anticipates changes at NYLS. In an interview with the New York Law Journal, the future Dean said: “All of the building blocks are in place for moving the law school to the next level. I am dedicated to trying new things, pushing myself and my colleagues to experiment, take risk, and search for significant advances in legal knowledge.” He added, “New York Law School is the future: a lean, agile institution that will embrace and adapt to whatever changes emerge in the next century.”

These changes do not come without a business plan. Mr. Matasar also told the New York Law Journal that he will “stake out territory that makes [NYLS] special... and have a high quality product that is unique, valuable and relied upon by the world.” He intends to create a specific mission and message for NYLS that the entire faculty must promote, he said. Mr. Matasar also pointed out that a unified message should not preclude innovation or originality among faculty members as long as the message comes through.

With a unified message, Mr. Matasar also plans on raising money, lots of money. He said he will raise more than the $20 million NYLS is attempting to procure to finance new dormitory and classroom building that will occupy land adjacent to the school. However, it was Mr. Matasar’s leadership—not just his fundraising ability—that caught the eye of the Dean Search Committee.

“Rick Matasar is an absolute dynamo! He is terrific, energetic, and devoted to NYLS,” said Prof. Carlin Meyer, co-chair of the Search Committee. “He has tremendous experience on issues ranging from bar passage to curriculum developments to fundraising.” Prof. Meyer added, “Without the support, energy and commitment of the NYLS Community, he can only take us so far. I know the faculty is behind him; I’m confident we’ll be up to the challenge he represents.”

Matasar left UF amid controversy

During Mr. Matasar’s tenure as dean at the University of Florida School of Law, the school successfully raised over $40 million and tripled its endowment. Mr. Matasar attracted a $10 million gift from UF Law alum Fredric G. Levin, a Pensacola, Fla. personal injury attorney. However, UF’s subsequent naming of the law school to the Fredric G. Levin College of Law pitted some members of Florida’s legal community against each other.

Mr. Levin made a name for himself as one of the top personal injury lawyers in the nation. According to Florida newspapers, he also has received a reputation among members of the Florida bar as an irreplaceable and unethical colleague. He was reprimanded by the Florida Supreme Court for illegally betting on football games and was found in violation of ethical and procedural rules that ended up reversing two major verdicts, costing his clients $12 million.

Although Mr. Levin’s $10 Million gift will go to attracting a prominent faculty and developing specialized areas of study, the renaming of the school after him angered some prominent UF Law alums, as reported in the Florida media. Mr. Matasar, who reported defended the University’s decision, resigned as Dean in June insisting his decision had nothing to do with the renaming controversy.

Mr. Matasar retains his post as professor of law at UF until June; he is on sabbatical for the spring semester. Despite any reported controversy, many at UF are sad to see Mr. Matasar leave.

“He is a visionary who brings a lot of energy and direction, and has a capacity to bring people together as a dean.” Mr. Mills added, “He will be sorely missed.”

Mr. Matasar, 47, received his both his BA and JD from the University of Pennsylvania. Early in his career, he clerked for the Hon. Max Rosen, US Court of Appeals (3rd Cir.) and practiced law as an associate at Arnold & Porter, Washington DC. From 1980 to 1991, he taught at the University of Iowa College of Law spending his last two years there as associate Dean for Academic Affairs.

Mr. Matasar and his wife, Sharon, will live in Manhattan.

Sources: The New York Law Journal,ABA Journal, The Palm Beach Post

“Don’t give me conclusions. Give me reasoning. Tell me ‘Why?’”
—Prof. Aleta Estreicher on legal analysis.
Editorial

Waiting for the Man...

I started working on the L in the Fall 1999 semester, the beginning of my third and final year at NYLS. I came to this publication with the philosophy that if we take ourselves seriously, then others will take us seriously; and thus, the L's readers and contributors will have a publication they can trust and depend on.

You may have noticed that in the Editorial section of the L we are constantly talking about what it takes to keep this publication in print, and about the particular efforts that certain people have made to keep the L going.

I imagine, by now, this constant self-evaluation may seem a bit excessive to the average reader. But I think that the average reader probably does not realize that the L is at a very precarious stage in its short history. Currently, the L does not receive any funding from the administration for the valuable service that we provide to the community. Recently, we completed a proposal that we are going to submit to the administration by the end of February. In the proposal we have made requests that we believe are essential to the very survival of the L. Certainly, these requests are essential if the L is to continue as a quality publication in the near future.

I'm Passing the Torch Before I Drop It

As of this semester, I am stepping down as Editor-in-Chief of the L. I must attend to matters in my personal, professional and academic life that could hinder my efficacy as Editor. I will stay on to assist where I am needed and to make sure that the student news publication that Mr. Cohen and I started over a year ago will continue in its mission, to serve as the Voice of the New York Law School Community.

Last semester's Managing Editor, Susan Harper, is our new Editor-in-Chief. David Resnick moves up from Copy Editor to Managing Editor. They are a great team. Their endeavors to date alone ensure that the objectivity, integrity and professionalism of this publication will continue for years. I wish them Godspeed.

This is not Farewell. You will hear from me from time to time this semester as I do my best to inform you during this exciting and turbulent year up ahead. To all new editorial board and staff members, welcome. If you need advice on anything, don't be afraid to ask. Problems? Talk to Susan and Dave.

Thanks Eddie

What can we say about risk takers? We admire them. We study them. We learn from them. That is why I want to pause to salute a risk taker of our own, Eddie Westfield, and his achievements as one of the founding members of the L.

For the past two years, Eddie has tirelessly worked to create and maintain a student news publication for all of NYLS to enjoy. Putting together a monthly publication, while you are full time law student, is a great responsibility. It requires coming up with story ideas, finding and motivating writers, handling the editing and proof-reading, producing the layout, working with the printer and corporate advertisers and making the daily decisions that running a newspaper requires.

For quite a long time, Eddie enthusiastically has been the "Jack-of-all-Trades." Not only has he shouldered the challenges of being a senior editorial member, but he has and continues to be individually responsible for being our Layout Guru—a job that requires great time and technical skills.

While discussing the subject of the newspaper recently, a NYLS Journal student said to me, "The L is probably the most read publication on campus. If there is a publication at NYLS which allows all students the opportunity to write, then we should stand behind it and support it."

Thus, Crazy Eddie, on behalf of our staff and our readers who have continually supported the L, we salute you for your vision, determination and trail blazing efforts in creating a publication where we may all have a voice in the NYLS community.
In Search of Civil Rights Law
One Law Student’s Summer in the Old South

Heather Poole

With a background in grass roots activism, I came to New York Law School with the goal of learning the practical skills needed to become a successful civil rights advocate for those whose voices remain unheard inside the courtroom. Ever since I arrived, I have tried to gain as much experience as possible in civil rights law, including taking a variety of courses, working for free at any Title VII or constitutional litigation employer I could find, and educating myself on the history of the civil rights movement. By the middle of my second year, I had truly honed in on my passion—plaintiffs’ employment and housing civil rights law.

In February of my second year, I decided to gain a real-life perspective on the cases and staggering historical events I had read about and at the same time, gain practical experience in litigating civil rights law. I applied to Sabel & Sabel, P.C., a three lawyer firm in Montgomery, Alabama, for a summer internship to work on plaintiffs’ housing and employment discrimination cases, civil rights deprivation and conspiracy cases (§ 1982, § 1983, § 1985), and prisoners’ rights First Amendment cases. What resulted was the most insightful and practical skills-oriented internship I have ever had during law school (I have had 3 others prior to this one) and one of the most memorable summers of my life.

Reading cases on civil rights law, although fascinating and emotionally moving, is nothing compared to the reality of working in the thick of the movement, itself. Indeed, it is quite another thing to walk on the very bridge where over a thousand black and white individuals of all ages marching for equal rights were beaten with clubs, suffocated with tear gas, knocked down by blasting water hoses, and shocked with cattle prods by police officers in Selma, Alabama. And it is quite another experience to travel to the back hills of Philadelphia, Mississippi, and know that on these very roads, still unlit in the dark of the night, that thirty years ago three civil rights workers were stopped by police, dragged off to unmarked back roads, and murdered for registering black voters in the South. And it is quite another experience to stand in the very spot where Rosa Parks was arrested in Montgomery, Alabama, for refusing to sit in the back of the bus because she was the “wrong” race.

While in Selma, Alabama, the site of the famous 1964 “Bloody Sunday” march from Selma to Montgomery with Dr. Martin Luther King, Jr., I visited the National Voting Rights Museum. At the museum, I was given a personal tour by an African-American woman who was only 14 years old at the time of the march and who still has a permanent knot on the back of her head from being beaten by Selma police officers while trying to march. The museum contained original artifacts from the march, including disturbing photos of police officers using tear gas and cattle prods on marchers.

The practical experience I gained in civil rights litigation is exactly what I wanted and needed. While at Sabel & Sabel, P.C., I drafted numerous gender and race discrimination complaints which were filed in federal district court. I also drafted EEOC charges dealing with sexual harassment and racial discrimination. I co-authored a gender discrimination compliance brief in the largest gender discrimination case in the City of Montgomery’s history, a case which involved the deliberate refusal to promote female police officers.

The internship provided me with valuable career contacts for the future. The firm works very closely with the Southern Poverty Law Center and the Alabama

The Sinkhole

Tightening the Curve

Louis J. Russo III

Welcome back. Have you settled into the next semester? For most of us seeing the grades is old hat. But for the newcomers the sedatives may just be wearing off.

I think what amazes me, more than the curve itself, is how many people will actually advocate for it. The administration will tell you it is necessary and quite effective. But accepting what the administration says is like agreeing with the tuition increases each year. Students who agree with the curve are usually the “best” and “brightest.” Something is to be said for their ability to consistently beat the curve and get an A. But next time you look in the mirror tell yourself that only fifteen percent of the class deserves an A. This is interesting because in the “elite” learning institution called New York University (“NYU”) approximately thirty-five percent of the students receive A’s.

Truthfully, I don’t think that everyone should receive an A, but it is the people receiving those C’s and D’s that concern me. While attending a Paper review course for the MPRE at NYU, I stumbled across the school’s posted grades (NYU has still not responded to my repeated request for a copy—Do you smell something?). They list them from A through F followed by the percentages given out. Oddly enough, not one of the first year students received a grade lower than a B. Take the following situation: You do the hiring for the law firm of Dewey, Cheatum and Howe. After interviewing two law school graduates, you try to decide whom to hire. The first graduate hails from New York Law School, home of the one-year bar “blip.” (Dean Wellington, N.Y.L.J., Jan. 4, 2000). He is currently in the fiftieth percentile and has a grade point average of 2.70. The second student hails form New York University. He too is in the fiftieth percentile, but has a grade point average of 3.00. Now you tell me, whom would you hire?

So you see we are getting it from both ends, a lesser school and a lower curve. Law firms know all about grade inflation, but they don’t care. It is all about what looks good on paper. The lower grades the school is promoting is not helping the students; the school’s grading policy is just simply hurting them.

It may not be fair to compare NYLS to NYU, but we are a spin off of Columbia University School of Law, and is it not always preferable to strive to be the best? So what is the solution? It is quite simple; inflate the grades. Get off the damn high horse and stop giving out C’s and D’s. Where does this leave us?

The school continues to raise your tuition, to watch the bar rate drop, and to smile as they take your money and then refuse to hear your input. So keep filling the sinkhole, take a deep breath, hold on tight and smile. Once again, welcome to the legal profession.
The Southern Cross: Let it Fly...

Usually, this column consists of differing views from another student and myself. For this article, however, I could not get up the muster to even ask another student to defend South Carolina's practice of flying the Confederate flag atop its state Capital Building. Thus, while reading this column please keep in mind the fact that I do not agree with those advocating the use of the Confederate flag atop South Carolina's Capital Building, nor their beliefs as to the Confederate flag's representations. Nevertheless, in the spirit of our adversarial system and this column, I will attempt to present an argument on behalf of those in favor of letting the Confederate flag fly.

The Confederate flag was lifted atop South Carolina's Capital Building in 1962, as a commemoration of the Civil War's centennial. The flag was lifted to remember those Confederate soldiers who fought and died in the Civil War as well as to pay homage to southern heritage and culture.

According to advocates, the flag does not represent slavery, racism, treason, or any other type of bigotry. The Civil War was fought over politics, not racism. Nevertheless, when asked why the American Civil War was fought, many if not most Americans will probably answer that it was fought over slavery. Technically, this is NOT a correct answer. For the fact of the matter is, that the Civil War was fought, among other reasons, out of a dispute regarding Southern Democrats' representation in Congress. Thus, the initial intent of the Confederacy at the outset of the War was not to defend slavery; nor was it the Union's intent to abolish slavery. The flag therefore does not represent a racist view; rather it is representative of States free to secede from the Union when they feel underrepresented. In fact, there was another war that was fought prior to the Civil War wherein secession and independence was also declared for lack of adequate representation (if you as the reader do not know what war I'm referring to, please drop by law school and spare the school's bar passage rate). Thus, the flag can be construed as a representation of the American spirit; individuals united to fight for their beliefs.

Moreover, it seems as though many prominent politicians are in agreement with those conservative southern Republicans who advocate letting the flag fly. According to a recent article in the L.A. Times, Presidential candidate Sen. John McCain who first declared South Carolina's use of the Confederate flag offensive, now views the flag as a symbol of heritage. In fact, Sen. McCain has gone so far as to say that he probably has ancestors who fought honorably for the Confederacy. Gov. George W. Bush, Jr. of Texas has not denounced the Confederate flag as offensive, now views the flag as a symbol of heritage. In fact, in Bush's home state, there is currently a Texas Historical Commission that might actually approve the erection of a full-size statue of a southern infantryman whose rifle will be replaced with a Confederate flag four days a year. The proposed statue may be put outside the Gries County Courthouse. Thus, the Confederate flag is representative of the culture of the people of the South as well as their ancestors, nothing more.

Governor Bush has also publicly stated that "it is not for the Federal Government to tell a State what to do." As anyone who has taken Constitutional Law should know, Mr. Bush's statement is exactly on point. Whether South Carolina chooses to fly the Confederate flag is a state issue to which the Federal Government has no say; the issue is fundamental of State sovereignty. Thus, absent an Amendment to the Constitution, South Carolina is well within the law to fly the Confederate flag. Moreover, it is the people who are sovereign in every state within this country. Accordingly, the people of South Carolina may use their voting power to oust the present South Carolina Legislature. Yet, if the people of South Carolina vote for leaders who choose to let the flag fly, then it follows that the majority of South Carolinians, as a sovereign state, want the flag to fly.

...CASE AGAINST...

The Confederate Flag: Burn it!

It is the year 2000 and the Confederate flag still flies atop South Carolina's Capital building. Leaders in South Carolina contend that the Confederate flag represents "Southern heritage and culture." Despicable hate groups such as the Klu Klux Klan, Aryan Nation, and other racist groups also wave the flag proudly, as if the flag were representative of their culture. Can the conclusion then be made that the Klu Klux Klan and other groups like them are also representative of Southern culture? The leaders in South Carolina should be ashamed! It is plain as day that the Confederate flag represents hate, racism, bigotry, and treason.

From Fort Sumter in the 1860's to Little Rock in the 1950's, the Confederate flag has represented contempt for the Union and hostility to the nation's commitment to freedom and equality to all people and citizens. Raising the flag in 1962 to commemorate the Civil War's centennial was a blatant act of disrespect to the soldiers who fought and won the War for the Union. South Carolina, as the first state to secede from the Union during the War, should not be commemorative for an act of high treason against the United States. Although the technical reason for the War was that slave-driving landowners felt under-represented in Congress, their contention for wanting more representation was based on including their SLAVES as part of the population. South Carolina should realize that the Confederate flag represents a failed attempt at an ungodly like society that was rightfully struck down 100 years ago; and will never rise again.

The Confederate flag cannot be separated from its history. The Republican party seems to have evolved from the party of Lincoln to a party of die hard segregationists with no backbone. Gov. George W. Bush, Jr. and Sen. John McCain should not be hated for not taking a stand on an issue that has so radically moved this nation's history. Bush plays the Federalist vs. State sovereignty card. McCain has changed his view from that of opposing South Carolina's use of the Confederate flag to saying that the flag represents Southern heritage. Conveniently, his view has changed only weeks before the South Carolina primary on February 7, 2000. These "front-runners" are obviously weak minded individuals who should be ashamed of their answers regarding the flag as the leaders of South Carolina should be for flying it. These "front-runners" are not the type of leaders we as a nation deserve to lead this nation into the next century.

Consistent with the theory of this nations people being sovereign, the people of South Carolina should oust their present state legislature and take heed in the fact that they, as a state, are flying a flag that represents the ills of humanity. The people of South Carolina should recognize the fact that they are only holding this nation and humanity from evolving into a more perfect union. The people of South Carolina should recognize that their symbols of racism should not be flown atop a public building that belongs to all the people.

Finally, commendation should be given to the NAACP for calling a boycott of all tourism in South Carolina as well as organizing a march held in front of South Carolina's Capital building on Martin Luther King Jr. Day (a national holiday that S. Carolina does not even recognize). This author joins the NAACP's fight against all symbols of racism, bigotry, and treason. The people of South Carolina should do the same and burn the Confederate flag.
For Black History Month, the L researched men and women who have exemplified excellence and success in America and around the World. Far from exclusive, the following are profiles of people who have made the dreams of generations past, realities for today’s generation and those to come...

**Carter G. Woodson**

The Father of Black History

Carter Woodson, the “Father of Black History” dedicated his life to preserving and promoting African-American history. Woodson is best known for establishing Negro History Week in 1926. His legacy lives on as our country continues to celebrate Black History Month each year.

Born in 1875, Woodson was the son of former slaves. Determined to get an education he received a bachelor’s and master’s degree in history and romance languages from the University of Chicago in 1908 and doctorate degree from Harvard University in 1912, becoming the second black person to received a doctorate from the university.

As a teacher at Dunbar High School in Washington in 1909-1919, he became convinced that the history of African-Americans was being ignored and misrepresented. Dr. Woodson felt it was important for Black people to know their history and to have pride in their race. He felt that racial prejudice grew from the idea that Black people were inferior to White people. Thus, he set out in 1915 to take the steps to provide the historical truths about African-American history and culture when he founded the Association of the Study of Negro Life and History, now the Association for the Study of Afro-American Life and History Inc.

Dr. Woodson spent his life investigating, documenting and publishing African-American history. He founded the Journal of Negro History in 1916. He wrote his first book, *The Education of the Negro Prior to 1861* in 1917. He also founded Associated Publishers to publish books and information on black life and history.

In 1921 he established Negro History Week where his legacy lives on as all Americans — young and old, black and white – pause to reflect throughout the month of February the history, challenges, achievements and contributions of the African-American community.

*Source: Encyclopedia of African American Culture and History; The African American Encyclopedia; the Association for the Study of Afro-American Life and History Inc. Contemporary Black Biography.*

**Jane Boulin**

Jane Boulin, resident of Queens was the first black female to graduate from Yale Law School and she was the first black woman judge in the United States.

Contemporary Black Biography reports that in 1924 Justice Boulin was one of two black woman attending the prestigious all women’s college, Wellesley, where she graduated as a “Wellesley Scholar” a distinction given to the top 20 women in the class.

When sharing her aspirations to become a lawyer, her Wellesley advisor, “sternly instructed her to think of something else.” Boulin’s father too, “was opposed to the idea at first.” “He assumed I’d be a schoolteacher. He didn’t think that women should hear the unpleasant things that lawyers have to hear” recalls Boulin to Judy Klemesrud of the *New York Times.* Behind her father’s back she went ahead and applied to Yale Law School where she was accepted and became the first black woman to graduate in 1931.

In 1939, she was appointed Justice of Domestic Relations (know Family Court in the State of New York) by then Mayor Fiorello LaGuardia and held the position for next 40 years.

*Source: Contemporary Black Biography*

**Thurgood Marshall**

Former US Supreme Court Justice Thurgood Marshall championed civil rights and equal opportunity law.

Considered one of the most influential men of the last century, Contemporary Black Biography (CBB) reports *Ebony* called Marshall “the most important Black man of this century – a man who rose higher than any Black person before him and who has had more effect on Black lives than any other person, Black or White.” Marshall told *Ebony* while growing up in Baltimore he played with children of both races and lived in a nice home. He described himself as “mediocre” student and a “cut-up” whose punishment was often to read the United States Constitution out loud. By the time he graduated from high school, he knew it by heart.

Marriage settled him down in his junior year at Lincoln University from which he graduated *cum laude* in 1930. Thereafter, he graduated first in his class from Howard University in 1933 receiving his LLB and then he move back to Baltimore to work in private practice.

Marshall’s first big victory, representing the local NAACP, was a case where a black student wanted to attend the all white University of Maryland law school. Shortly after this, he was invited to join the NAACP’s national office where “for the next 20 years,” *Ebony* wrote, “[Marshall] traveled the country using the Constitution to force state and federal courts to protect the rights of Black Americans.”


Nominated to the Supreme Court by President Lyndon B. Johnson, Marshall took his seat on October 2, 1967. *Ebony* wrote: “Throughout his time on the court, Marshall remained a strong advocate of individuals rights...he has remained a conscience on the bench, never wavering his devotion to ending discrimination.”

*Source: Contemporary Black Biography*
Nelson Mandela

Perhaps the most moving image from the millennium celebrations was that of Nelson Mandela returning back to his prison cell where he spent twenty seven years as a political prisoner in his native South Africa. Dressed understated, he lit the candle of freedom in his all too familiar former prison cell, walked out of the prison with his head high and handed the candle of freedom over to a South African youth.

A social and political activist, Man­della who is a lawyer, joined the African National Congress (ANC) in 1944 where he had led the struggle against South Afri­ca’s official policy of racial segregation or apartheid. He was jailed for acts of sabo­tage in 1963 while leading an underground wing of the banned ANC and was freed from his life term sentence in 1990.

In 1993, he shared the Nobel peace prize with South Africa’s president F.W. de Klerk for their peaceful struggle to bring nonracial democracy to South Africa. Shortly thereafter, he, along with millions of other black South Africans, voted for the first time in the 1994 elections where Mandela came into power as President.

Dr. Martin Luther King Jr.

1964 Nobel Peace Prize recipient and civil right activist Dr. Martin Luther King, Jr. upon his assassination in 1968 evolved and continues today to be a sym­bol for the Civil Rights Movement in the United States. “He is studied by school­children of all backgrounds; his words are quoted by the powerless and the powerful. Anyone who has a dream to make her or his life better, to better the na­tion or the world” says Contemporary Black Biog­raphy.

A graduate of Morehouse College, B.A in 1948 and Crozer Theological Seminary, S.D. 1951. King studied famous philosophers, social activist and became acquainted with the nonviolent activism of Gandhi.

King became pastor of the Dexter Avenue Baptist Church in Montgomery, AL in 1954, and in 1955 he was chosen to head the Montgomery Improvement Associa­tion, which boycotted segregated city bus­es. During this boycott, King’s house was bombed. He persuaded his followers to remain non-violent despite these threats.

In 1958 King inspired black and non blacks throughout the South to hold peace­ful sit-ins and freedom rides to protest seg­regation while acting as President of the South Christian Leadership Conference.

Determined to focus the nation’s at­tention on the living conditions of the blacks, King inspired and planned the Poor People’s Campaign, a march on Washington. However, he did not live to see this materialize. In 1968 he traveled to Memphis, Tenn., to sup­port a strike of the poor­ly paid sanitation workers. The strike lasted 68 days. Many of the men wore strike signs which said, “I AM A MAN.” Moved by this movement, King on a gloomy and rainy Mem­phis eve gave his famous unscribed “Promise Land” speech. On April 4th he was assassinated causing public shock and riots. He was buried in Atlanta under a monument in­scribed with the final words of his famous “I Have a Dream” address.

Because of his leadership, the Civil Rights Act of 1964 and the Voting Rights Act of 1965 were passed.

His writings include ‘Stride Toward Freedom: the Montgomery Story’ (1958), ‘Strength to Love’ (1963), Why We Can’t Wait’ (1964), and ‘Where Do We Go from Here: Chaos or Community?” (1967).

In 1968, the US Congress established a national holiday in King’s honor to be observed on the third Monday in January.

Source: Contemporary Black Biogra­phy, Compton’s Encyclopedia

Patricia Roberts Harris

Patricia Roberts Harris was the first black woman to receive a Ph.D in econom­ics in 1921, the first black woman to gradu­ate from the University of Pennsylvania Law School in 1927 and the first black woman to practice law in Pennsylvania.

Contemporary Black Biography reports that she was a “tireless advocate for civil rights” and “a firm supporter of democracy, reasoning that the United States could only be a strong country if there were op­portunities available for everyone. Alexander was also a strong adva­cate of women in the work place.

In 1923, she mar­ried Pierce Alexander, a Harvard Law School graduate. The cou­ple went into practice together and initi­ated legal battles designed to desegregate hotels, restaurants, movie theaters and oth­er business in Philadelphia. The two helped found the National Bar Association, an org­anization for black lawyers and in 1948 Sadie Alexander was appointed by Presi­dent Harry Truman to his Committee on Civil Rights and in 1960 by President John Kennedy to the Lawyer’s Committee on Civil Rights.

Source: Contemporary Black Biogra­phy

Shirley Chisholm

Former New York Congresswoman Shirley Chisholm became the first black, as well as the first woman, to ever seek a major political party’s nomination for the US presidency in 1972. “I ran because someone had to do it. In this country ev­erybody is supposed to be able to run for President, but that’s never really true. I ran because most people think the coun­try is not ready for a black candidate, not ready for a woman candidate” recalls Chish­olm in her book The Good Fight.

Chisholm was the first black woman­ever elected to the US House of Repre­sentatives. She served from 1969-1982 as congresswoman from Brooklyn’s 12th Dis­trict. Although, she received a B.A. in teaching from Brooklyn College (cum laude) and an M.A. in early childhood edu­cation from Columbia University, and was a teacher for a number of years, she be­came involved in politics in the 1950s win­ning a landslide victory in fall of 1964 for the 17th Assembly State Representative seat. Later on she would win New York’s 12th Congressional seat.

Known for her outspoken views and criticism of the status quo, Chisholm wrote in The Good Fight, “Since I went to the House of Representatives in 1969, I have grown to detest many of the white North­ern liberals who are always ready with rhet­oric about equal opportunity in jobs and education, when the time comes to put the heat on, in committee and on the floor, and do something, like passing an amendment or increasing an appropriation, too many of the white knights turn up missing.”

She retired from public office in 1982, but still remained active and vocal. In 1983 she served as Paring Professor at Mount Holyoke College, where she taught politics and wom­en’s studies.

Matthew Henson

Okay, so he is not involved in the legal world or politics. But we could not present our African-American Pioneers, without including this man.

Matthew Henson, co-discoverer of the North Pole, was the only American to ac­company Commander Robert E. Peary when he first set foot on the North Pole in 1909. Because of racial prejudice, Henson was not credited as co-discoverer of the region until 1980.

Born in 1866, Henson at a young age got a job as a cabin boy on the merchant vessel, Katie Hines. During this period of...
Pioneers
Continued from previous page
his life, he traveled throughout Europe, China and North America.
In 1887, while working as a clerk in a store, he met US Navy Lieutenant Robert E. Peary. This association would last for two decades. Together they would take seven Northern expeditions which would also include the trek to the North Pole. Henson became a important member of Peary’s crew. He served as a combination blacksmith, carpenter, dog trainer, hunter and interpreter. He was the only member of the party to learn the Eskimo language.

The natives called him Maye-Palug, “the kind one” and he was credited for convincing the Eskimos to accompany Peary on his journey. Contemporary Black Biography reports, “Consistent with the racial attitudes of the time, Peary came home to lucrative awards while Henson struggled to find work. Peary was appointed to rank of rear admiral in the US Navy, but Henson parked cars in a New York garage.” However, black leaders petitioned President Taft, and eventually Henson was given a messenger position at the US Customs House.

He received honorary degrees from Howard University and Morgan State College and a presidential citation by President Eisenhower in 1954. Upon his death, black leaders requested that Henson be buried as a public hero in Arlington National Cemetery, but their requests were denied.

The New York Times wrote, “Seventy-nine years to the day after he reached the North Pole with Commander Robert E. Peary, only to spend most of the rest of his life in historical oblivion, Matthew Al- exander Henson was given a hero’s burial today in Arlington National Cemetery.” Director of Harvard University Foundation, Dr. S. Allen Counter, said in his eulogy “Matthew Henson, we give you the long overdue recognition you deserve. We lay you to rest to right a tragic wrong to correct a shameful record.”

Source: Contemporary Black Biography

Inter racial Marriage in the 1950’s
Wife of Trumpeter in The Duke Ellington Orchestra Shares Her Story

Susan L. Harper Editor-in-Chief

In 1951, Gloria, a young white woman and up and coming high fashion model from Queens met a man in New York City who had a Ph.D. in economics who taught me in high school, Dr. Ashley. I was wild about this Al Coleman - but we were not extraordinarily difficult for me going from dating guys in high school to dating Ray. The people that I knew at the time were very intelligent and knew about the greatest books, drama, comedy and art. I enjoyed that of course. Ray worked in the Ellington band, one of the most incredible organizations ever.

L: When did you meet Ray?
Gloria: I was 16 in 1945 — about to turn 17 — when I met Ray. World War II had just ended. I met him at a Jazz session on West 48th Street. My high school friend, Erwin (who was a trumpet player) and I would go and listen to these sessions. I was 16 and he being 31?

Gloria: I met Ray through another guy I knew in high school. We learned Billy Holiday — who was absolutely obsessed with — was going to be working around Lincoln Center. This friend worked with Duke and said “Why don’t you go with Ray and I will put you up.” I said “I don’t know Ray.” He said, “Well that can be easily rectified.” Then he introduced me to Ray and that was it. Ray, Irwin and I went up to see Billy Holiday. Later that day, Ray took me to Harlem to hear some more Jazz. I think I saw him about a week later. He was 15 years older than me.

L: Wasn’t age significant? You being 16 and he being 31?
Gloria: Well — the only thing I was comfortable with was that he liked Billy Holiday and liked Sinatra and that he played trumpet! (laughter) The more I saw him, the more I liked him — the age dissolved very quickly.

L: How did your relationship evolve?
Gloria: I was occasionally seeing Ray, who would come in and out of town with the band. He had then taken me to a couple of movies — you know a complete gentleman. Well, he had been married twice before — which was another thing — because he was still married — but not with Brando and Tony Curtis had already been there and I thought this is where I would like to go. More and more I was seeing Ray, but I was seeing lots of other guys too because I was young.

Then came Ray’s mission to be with me. He was very vocal about this. I was so overwhelmed. I mean, this was guy was 15 years older than me and ran around with the greatest looking girls in New York! Then, after that, I started summer stock and someone approached me about sending me up to Vogue and Vogue starting using me. It was a wild time - late 40s and early 50s. I had already been attracted to a black guy in my high school. His name was Al Coleman — who subsequently died in the Korean War. He was in the Air force. So I did not have an issue with black and white. In fact, the first black person I met was a man who had a Ph.D. in economics who taught me in high school, Dr. Ashley. I was wild about this Al Coleman — but we were never really intense in any way. So it was not that easy for me going from dating guys in high school to dating Ray. The people that I knew at the time were very intelligent and knew about the greatest books, drama, comedy and art. I enjoyed that of course. Ray worked in the Ellington band, one of the most incredible organizations ever.

L: How did your family feel about you dating a black man?
Gloria: When my mother found out that I was involved in Ray — she use to call him “the special delivery guy” — because that is how he use to get in touch with me — through special delivery or western union — she said, “How can you go with him, everyone is looking at you?”

And, I said, “Well everyone is looking at me anyway!” It took her a while to understand where I was coming from, but she finally got it eventually.

L: Where did you get married?
Gloria: We were originally going to get married in Las Vegas but we canceled that and finally decided to get married in New York. We choose to get married at the Cathedral on 145th. It was very private thing. We honeymooned on Martha’s Vineyard and had no problems. I think — again — it was that money thing. I know other white woman — who had been with black guys — and told me about the trouble they had in finding an apartment. That might be — but when I realized early on was that I go in and get the apartment and then I signed the lease. The very next day, I would bring Ray by to see it. But that is what I would do.

L: So this is how an interracial couple would have to find an apartment? Gloria: Yes — because if you didn’t — it would defeat the purpose. One time when I was in Toronto, all of the hotels were solidly booked. I felt if I could use my white skin to get us a room, I would do that. If the situation was reversed, then Ray would do it. We weren’t stupid by any means.

L: When you and Ray got married did you receive a negative reaction from people who were close to you?
Gloria: Well, certainly not from the band members. They were fine. Ray’s mom was not particularly happy about it. I am not sure what it was. I probably would have been ok or because his mom liked his second wife. But with my own mother and father they had some difficulty. I did not have any difficulty with my friends because many of my friends were accepting already. I did not want to be with the Queens crowd. I knew that by age 11. (laughter)

L: When did you start traveling around with the band then?
Gloria: We did not get married until 1951 and I was traveling around with the band for at least a year. You know Duke Ellington would never let me go really south with the band. The farthest I went to was Washington D.C.

L: Duke Ellington, himself, would say this to you?
Gloria: Yes. He would say to me, “You can’t go to New Orleans.” Not that I had any real desire, because I knew what was going on there. My traveling with them would have made it very difficult. Very early on, when I first married, I remember...
Marriage

Continued from previous page

just going for a walk after a gig with Ray. I remember the police officer stopping us, pulling us over and asking us "Who are you? Do you have I.D.?" We were not doing anything, Susan! We were just walking on summer eve. Or when I was in Johnstown, PA, we went to see a movie and then for ice cream soda afterward. There was a huge — almost a riot.

L: Because you guys (as black and white couple) were together?

Gloria: We were just having a soda. This guy told us "You better get out here." I was like — Who are you?

I turned around and there must have been at least 30 of his buddies — all with muscles. We left town, I think, the very next day. That was bad. We had to get out. That was a very frightening thing.

But that is what I want to emphasize, this country was not very nice. When we were Europe, like Paris, or New York, or certain parts of the black world, like L.A. or the south side of Chicago, we were okay. The primary knowledge that I took away from all of this was if one had money, then you were able to do a lot and not get into too much difficulty. By money — I mean that Ray made good money. They [the band] all did. They were the top earning band of the world then.

L: What other problems did you face traveling together as an interracial couple?

Gloria: It just so happen that the band did not go south that year because they were playing in many northern theaters. Primarily they played in theaters and nightclubs. The audiences were predominately white audiences — not to such a great extent to New York City though — but as I traveled around. I remember when we were in Illinois, Duke spoke with Ray and Ray came over to me and said "You know you can't really eat back here with us...we are white...you have to eat out in the club." I wanted to eat in the kitchen where they were. Or in Louisville, Kentucky, I was told straight out I could not talk to him, That definitely had an effect.

L: Was this the first time this occurred?

Gloria: Well — the first time this occurred — was in Lexington in Joy Land Amusement Park. It just so happens that Pearl Bailey was married to white drummer and the manager of the band was white. I was told I had to stay with the manager. Well, that was okay because it was only for a short period of time that night. But later that night — we went to Louisville, I was told I could not talk to Ray or stay with Ray. That — I found heart breaking. We just got married at this point.

You know — I was told I had to stay downtown where the manager was staying and I started to cry, Duke saw that I was crying and asked why I was crying. Ray threatened to kill me — I would have said "maybe we could work something out." And you know [later on in years] I had an interview with the CBC [Canadian Broadcasting] and spoke of this. Duke had arranged to stay at this house of prostitution and they must have spoken to the madam. I stayed in the attic on the third floor with Ray because I really did not want to stay downtown alone. There really was no other way. And I was certain — that was done over and over again, I didn't see it — as easy as it was.

L: So you are saying that houses of prostitution could have possibly been used in order for people to be together?

Gloria: Yes — I think so. The following day when the band went to work, I realized how stupid this was. I left that house — and I walked maybe two blocks — and realized where I stayed that night. I suppose I was also amused thinking that if the majority of people in Louisville knew where I was last night — it would have caused quite a shock. But that is the way it happened in my own experience with Ray.

L: How did you handle other hotel experiences?

Gloria: Well — occasionally Ray would check us in — like what I would do. Of course — you had to be half way cool about things. I told you that we were going to get married in Las Vegas. Well — it coincided with a time when a sit-in was going to occur and we decided not to go there. I don't think it was held — but it was just threatened. Vegas was a very prejudiced city. Stuff about Sammy Davis Jr. and L. Or a Horne was true — they could not stay there [at certain hotels they were performing at]. Well, you know Della Reese (Touch by an Angel), I went to hear her sing one night on the strip. She had to rent a house. Many times people rented these nice houses.

I think I need to emphasize that the band had some very hip managers — where they knew what hotel to go to. There was no question that this was what their job was to do — to smooth things over.

L: So the manager's job was to find out where you could stay with the least amount of racial problems?

Gloria: Right. Right. They smoothed the way. We probably would have had more problems if it wasn't for them. We were working with a band out of the William Morris Agency (Ellington’s Agent at one time). If they hadn't already booked the band — there probably would have been some problems. So, those managers were key players. They knew ahead of time about the hotels so you could stay there.

But we came across other problems, like in Omaha where he could not get cabs. I would always have to step out and get the cab for Ray and Paul [another band member]. I don't know how many times I had to do this.

L: But Omaha wasn't the only place you had trouble catching a cab?

Gloria: No, rather than making a mistake, we were thinking about what we knew it was the drill.

L: You were together for 20 years? Right? Did you talk about problem of racism?

Gloria: Certainly Ray being 15 years older had much more unpleasant experiences than I had. But he did not have such unfortunate experiences that other black people describe. I don't think Ray had that because of being so talented and in show business. It was something we all knew — but did not talk about — and there was always the band guy or manager who could always take care of everything.

Gloria: Well — we were not on the road anymore. Ray was working at the World's Fair and he wanted to stay in New York. But all of the guys got like that.

For the most part — I can say because Raymond had managed to do 1 — because I was working — um — that enabled us. It was great enabler. Even if other people don't get a cab — you are going to find some kind of car service because you have money. That — and the band managers always being able to take care of business — and agents, like the William Morris Agency, who could always fix that stuff. Ultimately, it came down to the club owners, because if they wanted to have entertainment — of the caliber of the Ellington Band — they would know they had to accommodate these artists.

L: It seems like it came down to the economics, didn't it? If they wanted to get good entertainment — to make the money — the club owners knew that they had to accommodate the band or else the entertainment was not going to come.

Gloria: I think that was definitely a factor to put into the equation. Money really made a difference all the way down look at the events leading to the decision in United States v. Schipp, 214 U.S. 386, 29 S Ct. 637 (1909), a case that deserves to be studied by scholars of constitutional law and history alike. That fact that Noah Parden, a southern black man, was named lead counsel to argue before the Supreme court in 1906, may have been lost to history. But the issues he raised in his appeal: due process, effective assistance of counsel, self-incrimination and exclusion of blacks from juries, struck a chord that has reverberated to this day. Readers will wonder why they have never heard of Ed Johnson and the horrors that were allowed to be perpetrated in the name of justice. And too, Contempt of Court shows us how men of courage, black and white, joined together to help prevent such horrors from happening again.

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A Summer Program Might Be For You.

Seth Cohen

Before you make your decision, you must honestly answer the question of why you want to go. If you go for the wrong reasons, it could be a counterproductive experience. If you go for the right reasons, it can be the experience of a lifetime. But, only you, the student, can determine what the right reasons are.

Ask yourself if you want to go, just to travel to a foreign country? Do you want to go to cafes and pubs to meet that special person and have a fruitful social experience? If these are your only goals, then you should rethink your objective. These programs tend to be expensive and if you do not pass your classes, you will not get the credits transferred and you will have wasted your money on the classes. If you just want to travel, then travel and forgo the course work and have a great time.

If you want to take interesting classes from American and foreign professors, talk with judges, lawyers, and legal scholars from other countries, then you will probably have a more rewarding experience. Studying abroad provides students with these opportunities and possible contacts for future employment.

To help you determine the ‘right’ reasons to go, it is good to consider what some programs offer and compare that with your goals. Some programs offer internships (paid or unpaid). Most offer classroom instruction, in one or a number of courses such as international law, international business, comparative law, etc. Some offer visits to foreign courts, law firms, and law departments of international conglomerates. Some programs are conducted in more than one country. They all run for different periods of time, some for 2 weeks, others for 6 or 7. But all offer the experience of studying overseas. Remember there is work to be done, it is not all fun and games.

I went to Kyoto, Japan in the summer of 1998. It was an extremely rewarding experience. I had lived in Japan for 1 1/2 years before coming to law school and found this was a good way to continue studying about Japan but from a legal perspective and brush up on my Japanese. The three courses were all inter-related. We had to read two books before even getting to Japan. There was a significant amount of reading throughout the summer semester, not to mention the final exams in each course.

In addition to studying, the director of the program set up visits to the international headquarters of Panasonic, the Japanese National Broadcasting Television station, and the Supreme Court and lower courts of Japan in Tokyo. We met with and were taught by Japanese attorneys, who spoke English fluently.

The other students were from law schools all over the United States. There was one who had been studying at our university in a different program who attended our classes and took our tests from the University of Meinz, Germany. He also spoke fluent English. We also met Japanese law students who were attending the university we were staying at. We showed them how we celebrated the 4th of July, they took us around Kyoto to various clubs, to eat, drink, and sing Karaoke. We watched the World cup in middle of the street on a huge screen TV in downtown Kyoto. They wanted to learn as much about us as we did of them. It also gave them a chance to practice their English. There were also opportunities to go sightseeing in the ancient capital of Nara, Osaka, and see a Japanese baseball game.

This study abroad program was not all study, nor was it all fun and games. Rather there was a nice balance between study and recreation. It was also a great opportunity to make contacts on the other side of the globe.

If you are thinking of participating in a study abroad program here is a list of things that you may want to remember:

1. You can’t accelerate your graduation if participate in an overseas program.

2. You must get approval from Academic Affairs as soon as possible.

3. You must talk with Financial Aid as soon as possible to arrange any necessary funding.

4. You should buy your books prior to going so you can do as much reading in advance to leave you with free time to explore the place you will be visiting.

5. You must have a passport.


7. You should talk to someone who has participated in the program you are interested in, or someone who went to the country you want to go to for their take on the experience.

8. If you’ve never been to that country, ask someone who has about the climate, economy, society, geography, politics, etc., so you can be prepared as to what to bring with you.

9. You should take a camera to take pictures of the people you meet. You should then send those pictures to them and maintain your friendship. Having contacts overseas will be beneficial socially and for business. Especially if you are going to Asia, you should have business cards made. Keep the cards you receive and put those people on your mailing list. They could help you with employment or clients in the future.

10. Finally, some advice that has served me well over the years. DON’T EXPECT ANYTHING. YOU WILL ONLY GET LET DOWN. In other words, keep an open mind. Remember, you are an unofficial ambassador from the United States, New York State and City, and New York Law School.

From the Archives...

Excerpt from the “Leave it to Beaver” advice column, appearing in the March 1982 Edition of the NYLS Coalition (No. 2).

Dear Beaver,

I’m more perplexed than I ever thought I could be. Throughout my life, others have always commented on my sound judgment. But now that I am in law school, I have become anxious and confused. The other students are very involved and I just seem unable to decide. Beaver, as a law student do they really expect me to sheparadize? And if I start does that I mean that have to go all the way?

-COLD FEET

Dear Reluctant,

Shepardizing is nothing to feel guilty about. All litigators agree that it’s a necessary part of being a lawyer. Many students indulge regularly. Shepardizing has its origins in those lonely frontier days at Brigham Young Law School, and is now a well accepted practice throughout the nation. Still, it’s good manners to be discrete, so when Shepardizing use a private study room.

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Cybersquatting: A Primer

Christopher Ross

Lately, the only un-scripted victory you hear involving The World Wrestling Federation (WWF) was their television ratings, but that changed recently. The WWF was awarded the domain name, www.worldwrestlingfoundation.com, by the World Intellectual Property Organization (WIPO).

In accordance with the Internet Corporation for Assigned Names and Numbers (ICANN) new dispute resolution policy, which took effect on December 1, 1999, the WWF filed a complaint on December 2, 1999, against Michael "The Cybersquatter" Bosman.

A cybersquatter is a party who registers an Internet domain name that resembles an existing trademarked property, such as www.worldwrestlingfoundation.com, with an abusive intention or bad faith, such as selling it to the rightful trademark owner for a large profit.

Mr. Bosman had registered the domain name worldwrestlingfoundation.com with Melbourne IT for less then $100. Three days later he offered the domain to the WWF for $1000.

Until recently, cybersquatting disputes fell in the lap of the courts, by default. This was a process which was time consuming and costly. However, ICANN, the group responsible for overseeing all primary generic Internet domain (.com, .net, org), in an effort to create a more efficient, faster and fair policy of dealing with cybersquatting disputes, enacted a new dispute resolution policy on August 26, 1999 which took effect on December 1, 1999.

The policy is aimed at the most blatant and obvious cases of abusive use and violation of trademark rights holders and takes effect within 45 days of filing date with the WIPO. The courts are not removed from the process of settling disputes. They are no longer the first and only venue for settlement. However, the hope is that the ICANN policy will settle a majority of these disputes without ever having to involve the judicial process.

The World Wrestling Federation said, they were "thrilled to have won this landmark case under ICANN's new procedure regarding cybersquatting."

Five other domain name cases have been filed with WIPO since January 2000 under the same procedure.

Civil Rights

Continued from page 5

ACLU organizations which focus on civil rights and civil liberties cases. In addition, I was introduced to Steven Bright, the Director of the Southern Center for Human Rights (anti-death penalty law firm) and a noted scholar on death penalty law, and have had met lawyers and staff from the Equal Justice Initiative, the anti-death penalty project headed by Bryan Stevenson in Montgomery, Alabama.

Equally important is the perspective I gained through the internship on the roots and meaning of what it to be an advocate for civil rights. Because of Montgomery's central location in the South, I was able to travel to Mississippi and Georgia to tour the roots of the civil rights movement. I toured the cities of Jackson and Philadelphia in Mississippi to see their respective civil rights museums and memorials. Philadelphia, located an hour and a half off the main highway, was the scene of the intensive search for Schwerner, Chaney, and Goodman thirty years ago, the three civil rights workers who were murdered by the Philadelphia Sheriff and a clan of bigoted whites.

Sadly, Philadelphia, Mississippi looks like nothing has changed since 1964, and unfortunately, the people I encountered there still articulated the same bigoted attitudes that one would hope would be absent in 1999.

A moving sight in Jackson, Mississippi, is a statue that stands in honor of Medgar Evers, the innovative African-American civil rights worker who was shot in the back in his driveway, in front of his family, by a white supremacist. But the one inescapable sight in Jackson (Mississippi's capitol) is the poverty; the lack of resources available to the state's poor population is painfully evident.

I wish I could say that times have changed in the South, that there is no longer a need for dedicated law students to protect the civil rights of the poor, minorities, and women, but that would not be realistic. My experiences this summer reinforced the reality I knew to be true — that there are not enough lawyers out there who are willing to do this type of work compared to the amount of rights and liberties that are continually violated by the employer, the state, the municipality, and the housing offices, among others.

The attorneys at Sabel and Sabel, P.C., are still highly overworked, putting in long hours and extra effort, but not for any extra pay. They do it because their conscience dictates it. As Bryan Stevenson, an anti-death penalty attorney who is constantly representing the poor, the unheard, and those who are given harsher prison sentences because of their race, told a reporter, "How could I do anything else?"

If any student is interested in interning with Sabel & Sabel this summer and wish to work on employment and housing discrimination cases, feel free to email me at or directly contact Marcia Bennekin, Staff Attorney, c/o Sabel & Sabel, Hillwood Office Center, 2800 Zeta Road, Suite 100-5, Montgomery, AL 36102; phone: (334) 271-2770.

Let's Not Forget About The Parking Attendants

Maria J. Guerra

I arrived at the parking lot early one morning, drove my car to the rear, and I found two gentlemen standing there in the bitter cold. On this particular day, with the wind-chill factor, the temperature was below zero.

It occurred to me that there was only one booth in this parking lot, at the entrance, where the other parking Attendants who attend to the customers are housed. I immediately saw that there was a problem here. Simply stated, there should be two booths. The one at the front entrance where it is now, and one in the rear for the other Attendants who must stand there waiting for cars to park, and cars to retrieve for those custom- ers who return for their cars.

It further occurred to me that the school couldn’t have much input into this, nor be able to change these conditions. I was under the impression that the lot was owned and operated by Imperial Parking Systems. Upon inquiring, I learned that the school owns the lot, and leases it to Imperial, as a tenant. The school, as the landlord, might then revise the lease to provide for a booth in the rear of the lot. This booth would only take up space about the equivalent of one car length and would be the humane thing to do. In light of the bitterly cold weather we frequently encounter here in New York. We owe these men the recognition they deserve. They care about us and we in turn should care about them.

During my first semester at NYLS, I fell asleep in the library while studying one night and woke up to the sound of someone yelling out that it was 11:00 p.m. and the library was closing. I realized that my car was in the lot and that it too closes at 11:00 p.m. I rushed out to get my car and when I got to the lot the Attendant, Delano, was gone. Naturally, at that point I wasn’t having any fine thoughts about the Attendants. When I went back into the school however, I ran into Delano. He was inside asking security about me because he was worried. I had never stayed at school that late, and he was surprised that I didn’t get my car out at 9-40 p.m. that night at the end of classes.

Because I am not yet as well versed in the areas of Property or Leasing as I would like to be, I’m not certain whether there is some precedent that would allow the school to insist upon or insert such a clause into the lease. I do know that these Attendants are part of our Law School Community and should not be ignored. I, therefore, strongly urge the school to look into this matter. And on behalf of all of us, I thank Jean Degrassi, the Manager, Delano Dorsaint, Doodnat Maharaj, Jorge Gottman, Farid Calcedo, and Yves Cadet for a job well done and for caring about us.
Think Like an NYU Law Student... or Just Drink Like One
Scoping out the Bar Scene in the West Village

Ed Maggio

If you are like many of the students at NYLS, you have spent a lot of after-school time at "Reade Street" drinking. So much time perhaps that you are sick of drinking in that place and having to see and hear annoying classmates/professors that prompted you to drink in the first place. With this new assignment and donning my Indiana Jones hat, I began a bar exploration of the city. On my first survey, I have sought out nearby locations in the West Village. After visiting a few bars/pubs, talking with patrons & employees, and tasting the food and liquid refreshment they offer, here are the results:

Barrow Street Ale House at (Barrow Street between West 4th and 7th Avenue). It's a modern and big two-floor pub, featuring animal heads on the walls, and decent drink specials everyday. Happy Hour starts at 12 noon, and domestic beers go for two dollars. Thursday night is 6-9 all you can drink beer for $10 and good mixed drink prices. They have 16 beers on tap, if you want to try and make it through all them. The bartenders are friendly, and they are open till 3 A.M.

The Blind Tiger Ale House (at Hudson and 10th Street) is a small little pub with 24 beers on tap. A lot of white-collar business types hang out here, and it is a good place to kick back and relax and do some networking with corporate raiders. The bartenders claim most people come and visit during a first date or to drink with their buddies.

Asylum (on Bleecker Street near Thompson St) This place is dark, gothic, has lots of candles and couches, and generally looks like Marilyn Manson’s Bedroom. However, they have many premium and microbrews on tap, a well stocked bar, and a cheap happy hour starting at four to make you come and visit.

Hang out in the early evening at this place but don’t drink here till dawn since some weird dressed NYU students and freaky locals come for a visit. Otherwise as an employee says, this bar becomes like a prom date, a good time in the evening, and then things get ugly in the morning.

Chumley’s (On Bedford St. at the corner of Barrow St) Finding this place alone was an adventure. It used to serve as a speakeasy bar in the 1920’s, and to this day still has an unmarked entrance. It also has a hidden wall and a trap door so patrons could escape from the cops. If you do find this place, you will find a very old but comfortable bar with a roaring fireplace. You never know what people will come in at night. My last visit resulted in me being taped by Japanese news crew that came to do a story. Make sure to get here in the evening for happy hour. They have many beers and microbrews on tap, but their non-happy hour prices are outrageous for a low-income law student, and if you are like most, you are so strapped for cash that selling batteries on the A-train seems appealing.

Down the Hatch (West 4th between 6 and 7th Ave). If you remember your college bars, this place is for you. It is an underground bar, with decent specials every day, and often $1 appetizers. Saturday and Sunday features all the wings and beer you can consume for $14. If you are going to try and gorge yourself, get their early, people start lining up for this special even during morning hours.

Jekyll and Hyde Pub (Between Barrow and Grove on 7th Ave). If you haven’t heard of this place, you have to visit at least once. The inside looks like the Adams Family decorated it, and things on the walls come to life and sing and talk to patrons. The bathrooms are hidden behind the library walls. The evening features actors in crazy costumes walking from table to table causing mischief. I wouldn’t come here to drink; it’s quite expensive. But the food is pretty good, and it is worth it just to come and witness some entertainment or be cultural and sample one of the 250 international beers on stock. Open till 2 A.M.

The Slaughtered Lamb (West 4th between 6 and 7 Ave). This is an English style bar modeled after the pub from the horror classic “American Werewolf in London”. It even features a dungeon on the second floor. It is a good place to sit back, and relax near the old fireplace, or burn your legal outlines. The bar food is quite good and in great portions. Drinks are expensive unless you come to your very late happy hour, starting at 11:00 PM. Despite this, it is a good place to relax or even study during the day. The Barkeeps are very friendly, and they will put on Jazz music to help you relax and study your legal homework if you so desire. It’s a good place to hideout from the rest of your classmates or watch horror movies they put on the TVs for the patrons. A great place to hangout during the midnight hour. Open till 2 A.M.

McDougal Street Ale House (McDougal Street Bet West 3rd and Bleecker). A small pub with daily drink specials. This place is very laid back, some days they even feature BYOF, Bring your own food.

It’s a good place to sit back and drink a pitcher or a mixed drink with your buddies.

On the Wagon (McDougal Street Bet. West 3rd and Bleecker). Two floor sports bar with plenty of room, TVs, and pool tables for all. This is the newest bar from the owners who brought you Down the Hatch or Jake’s Dilemma uptown. The happy hour prices are great; pints of premium beer go for $1.75 to $2.00. Great specials everyday, including $1 pints on Monday evenings or $2.00 shots on certain days. The bartenders here are hospitable. They saw me studying a casebook as I waited for a friend, and they hooked me up for free with a shot of Jameson whiskey and a pitcher of Bass Ale on the house. That’s what I call hospitality! Be careful though, Thursday night features a lot of NYU law students looking for a debate. If they know where you come from, be ready for battle. Friday night becomes the West Village’s official "Meat-market" for singles. Happy hour starts at 5pm; the bar is open till 4 A.M.

All of these places are a short walk away after taking the A Train to West 4th, or the 1 or 9 to Christopher Street. If you feel like a change of pace for once, grab a couple of friends and go exploring. Who knows, you might find a new place to wet your whistle, or open up a legal can of whose ass on some NYU law student who desperately deserves it. Till then my adventure continues uphill, seeking out new places for your drink time merriment.

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Students to Dean: Level with us.

Dear Editor:

Upon careful deliberation and numerous conversations with my colleagues at NYLS, the only words I can come up with to appropriately describe our Dean’s handling of the Law School’s descent in ranking and bar pass rate over the last two years are “absurd” and “perplexing.” As most of you have learned, NYLS recorded the largest decline in the bar pass rate for all New York State law schools down 12 percentage points to a bar pass rate of just 58 percent. In fact, NYLS’s bar pass rate is the lowest in the state - four points lower than Touro School of Law, a fourth tier school. Although all but one law school in the state experienced a drop in their respective bar pass rates, only two schools, NYLS and Syracuse College of Law, experienced double-digit drops.

As astounding as the above statistics may seem, the shock of this news is surpassed only by the Dean’s reaction to the same. Rather than realizing this event as “very disappointing and troubling,” and becoming “very concerned about it,” as Dean Braverman for Syracuse College of Law stated, Dean Wellington responded in the New York Law Journal that “this year’s rate is just not us. It’s just a blip.” Furthermore, the Dean stated that the low bar pass rate “does not affect the standing of the Law School as a fully accredited institution with a long and proud history.” One would think that this news, coming on the heels of the NYLS Law School dropping to a third tier in rank by US News, would invoke a slightly different response.

First, one could surmise that the above event will not result in the Law School losing its standing as a “fully accredited institution” - that is clearly not a concern. What is a concern is that our bar pass rate dropped below a forth tier law school, Touro School of Law (Touro has only been in existence since 1980, thus lacking the “long and proud history” of NYLS). This will undoubtedly result in the Law School dropping another tier to the forth and last tier in the US News ranking of law schools. Moreover, Dean Wellington’s minimizing the problem transgressed into outright denial that a problem ever existed when he stated in a memo to the student body that “we know that a more meaningful measure is the pass rate achieved over a period of years...[and that “]the ten-year average pass rate for NYLS’s graduates, including this year, is 71 percent.” On its face, this response is unacceptable because 71 percent is still four percentage points below the State average. Simply stated, the Dean’s attempt at damage control, rather than addressing the problem at hand is appalling and insulting.

Employing the same reasoning to similar situations illustrates better the absurdity in the Dean’s response. For example, if my performance at work fell below a satisfactory level, and as a result it was called to my attention by management, a response similar to the Dean’s would be akin to, “while my performance has been poor over the last year, once we average my last ten-year’s performance, you’ll see that I’m really not performing poorly at all.” A manager of average intelligence would be insulted and recognize that the above argument is, at best, ridiculous. Furthermore, a permanent vacation is almost sure to follow. Why then did the Dean employ the same reasoning in addressing the student body? Does the Dean honestly expect this response to pacify anyone who has a vested interest the Law School’s academic and professional standing.

Please note that it was not the Dean who tested for the New York State Bar Exam, it was our graduates. It was not the Dean who was ill prepared for the exam, it was our graduates. Blame does not rest solely on the shoulders of the Dean. The answer to this problem is two-fold. The first step requires students to accept responsibility and then make the necessary changes to produce positive results. Inaction or complacency with the response that we are merely experiencing a “one-time drop-off” is unacceptable. By now, it should be painfully apparent that we as students need to work hard to improve the bar pass rate and academic standing of the Law School. The second step requires the Dean to realize the same and take the necessary steps to improve our standing, which, in the words of our Dean, will truly insure “success of our graduates, as they make significant contributions in the legal, business, and governmental sectors and in the lives of our communities.”

I urge all of you to make a commitment to yourself and to your colleagues to improve our bar pass rate and academic standing by working harder. Also, I encourage you to take an active role in the Law School’s change by communicating proposals (e.g., additional New York State Law intensive classes to better prepare us for the bar), If you disagree with a policy, communicate this. Positive change will only be accomplished if we take and active role and our concerns are heard.

Michael G. Insalaco, 2L

NYLS should honor Election Day and Veteran’s Day.

Dear Editor:

By holding classes on Election Day and Veteran’s Day, New York Law School bites the hand that feeds it. This great democracy that we students live in and are educating ourselves to protect as attorneys (not to mention make our livings off of) would not be what it is today (or perhaps even exist at all) absent our Constitutional right to vote in open democratic elections and if members of our armed forces had not answered their county’s call to service. Many veterans made the ultimate sacrifice to protect the freedoms of their fellow countrymen and women and those around the world. On the days that we should pay homage to our valiant heroes and exercise our right to vote, we are confined to classrooms to learn about Constitutional rights that we often take for granted or ignore.

Were it not for the veterans of the Revolutionary War we would not even have a Constitution to study. These brave soldiers endured intense heat, cold and starvation to rid this land of oppressive, non-democratic rule. Subsequently, one of America’s greatest veterans, General Washington was among a delegation of fellow veterans, and patriots to create a democracy governed by elected officials. As we all know, originally, the right to vote was not a right to be had by all. Consequently, our county was hounded into the Civil War. Yet again, this nation’s bravest answered their call to service and fought and died to preserve our union, our freedoms and essentially our Constitution. Respectively, in 1870 the Fifteenth Amendment was ratified to guarantee that the right to vote was not to be denied on account of race, color or previous servitude. Finally, in 1920, through the Nineteenth Amendment the right to vote was extended to women resulting from political pressures that suffragists placed on elected officials.

Ironically, many of New York Law School’s students chasitise foreign countries that do not have fair and open elections. I wonder how many of these critics actually vote on Election Day? It is un-American for a law school, of all institutions, not to facilitate their students in exercising their patriotic spirit on Election Day and Veteran’s Day. Therefore, New York Law School should close on Veteran’s Day.

As for Election Day, the school should at least cancel morning and evening classes so students can go to the polls physically, not by absentee ballot, or not at all. Lately, we as Americans are so distracted by our racial, sexual and religious similarities or dissimilarities that we forget that we are all one nation of Americans. On Election Day and Veteran’s Day we should do our part to respect, honor and protect this place we call America.

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