NYLS Exonerated; Solomon Cries Foul

by Mark Conrad

Provoking severe criticism from plaintiff's attorney, a federal jury has denied Martin P. Solomon damages in his defamation suit against New York Law School. Solomon, a former NYLS professor, alleged that he had been defamed as a result of "false and malicious rumors" that he had been "caught giving marks for sexual favors." He also alleged that these rumors were circulated by Dean E. Donald Shapiro and other members of the NYLS Administration, with the tacit approval of the school's Board of Trustees. (See EQUI- TAS, Nov. 1978.)

The jury's determination constitutes a major victory for the law school since Solomon had sought an award of $1,000,000 in both actual and punitive damages. Although the jury denied this claim, it did award him $2,000 to cover his legal fees. Solomon is undoubtedly pleased with the school's breach of contract concerning a salary issue.

During the trial, Judge Robert W. Sweet excluded certain allegedly slanderous statements from the record on the ground that they constituted defamation per quod, thus requiring a claim for special damages. Solomon had failed to make that claim on the theory that the excluded statement was defamatory. Although women of legal age are prevented from working as nurses, this form of defamation does not require a claim for special damages. As a result of Judge Sweet's rulings, Joyce Barlow, Solomon's attorney, feels that the jury was given "no choice" in its decision.

Kangaroo Court Claimed

When asked about the jury's decision, Barlow voiced her criticisms of the case and accused Judge Sweet of conducting a "kangaroo court," referring to the manner in which he allowed the trial to proceed. She further attacked Judge Sweet's credibility, alleging that he was a "close friend of Maureen Nessan, the attorney for New York Law School," and that Sweet "should have been removed from the bench." During the trial, Barlow made several motions for the judge's removal, but all were denied.

Barlow also stated that Judge Sweet, while on the bench, was discourteous to both her and her client. She charged that "the judge made faces when statements favorable to Solomon were made," and "refused to permit Solomon to argue on his behalf." Barlow plans to appeal.

J. Auerbach, speaking for Maureen Nessan, dismissed all Barlow's charges. Auerbach has since become the victim of a six-day illness, which she feels that progress needs to be made. She pointed out that virtually every comprehensive day care program in the country who will have a vaccination home in Brooklyn.

Former Professor Martin Paul Solomon

who represented himself, stated that Judge Sweet, in his treatise, had indicated that he would not allow the trial to proceed. He added that the plaintiff had failed to make a claim on the theory that the excluded statement was defamatory. Although women of legal age are prevented from working as nurses, this form of defamation does not require a claim for special damages. As a result of Judge Sweet's rulings, Joyce Barlow, Solomon's attorney, feels that the jury was given "no choice" in its decision.

LAW Hosts Conference;
Holtzman Gives Keynote Talk

by Linda Crawford and Gail Gutmann

On Saturday, February 2, the New York Law School Legal Association for Women (LAW) hosted a day-long conference on the law and women. The Metropolitan Conference on Women and the Law featured a keynote address by Congresswoman Elizabeth Holtzman, followed by panel discussions, a luncheon, further panels, and a wine and cheese reception. All of her expenses, had vowed not to grade her home for almost fifteen years. She was a country woman necessarily, putting the renter's body is excellent, lively, and interested in the questions are not. Holtzman suggested that letters of protest be sent to the Justice Department and the President.

ERA Endangered

Rep. Holtzman further noted that much that has been done is in danger of being undone if current challenges to the ERA extension were successful. The Department of Justice, she said, is phenomena, instead of vigorously defending the extension. She expressed the belief that the ERA extension was within the powers of Congress, and was constitutional. Since, however, the challenge is being aired before a court whose impartiality is subject to serious question, Holtzman suggested that letters of protest be sent to the Justice Department and the President.

Angry Erickson Resigns

by James Gelb

After a contentious stay at New York Law School, Prof. Nancy Erickson has decided to accept an offer to teach at Ohio State University Law School starting in the Fall of 1980. Although Dean Bearn has wished Prof. Erickson "success," it was clear that the professor's decision to leave was based on her many differences with the administration.

Commenting on her new position at Ohio State, Prof. Erickson praised the school's library facilities, its policy of granting summer research grants, and the lighter teaching loads, which allow professors more research time. She expects to teach the same courses at Ohio State as she teaches here.

Prof. Erickson expressed sorrow at leaving the friends she has among faculty and students. She feels that, "the student body is excellent, lively, and interested" at NYLS. In addition, New York City has been her home for almost fifteen years. She had purchased a home in the Park Slope section of Brooklyn only six months ago. Since she does not plan to sell the house, she joked, "I'm the only person in the country who will have a vacation home in Brooklyn."
Bermuda Anyone?

In an effort to invigorate the often poor to non-existent social life at NYLS, the Student Bar Association and the International Law Society have announced a Bermuda Party for the mid-semester break. The tentative date is set for Tuesday, April 1, at 8:00 p.m. in the Student Lounge of 47 Worth Street.

Now, you may wonder, what is a Bermuda Party? It is a rather simple idea that has existed for some time in college communities. The admission price of $10.00 per couple buys one night of festivities and a chance to win an all-expense paid vacation for two to the romantic island of Bermuda. Included in the prize is round-trip airfare between JFK and Bermuda, accommodations for four days and three nights at the Marley Beach Cottage in Warwick, all meals, and $100.00 spending money.

Sound simple? The one hitch is that the winning couple must be prepared to depart immediately. It is strongly recommended that all participants arrive at the party with suitcases in hand. The runner-up will receive round-trip subway fare to Coney Island, plus sufficient funds for a sumptuous repast at Nathan's.

As for the rest of us, there will be sufficient liquid libation (beer) and music (hopefully a live steel-drum band) to fill the entire evening and cure any dashed hopes. Even at ten bucks a clip, tickets will evaporate quickly, due to the limited supply. Those daring souls who are interested should watch for advertisements posted throughout the school. — David Thompson

NYLS Denies Wrongdoings

An answer has been filed by New York Law School in the pending discrimination lawsuit commenced by former student Irene Leverson.

Denying the claim that the school failed to support programs which, if instituted, the complaint stated, "would insure her success." Allegations that the faculty practiced racial discrimination were also denied. The school's defense is that Leverson failed to state a claim upon which relief may be granted.

Leverson, who holds a doctorate in education from Columbia University, was dismissed from the school in August 1978 for "academic deficiency" because her grades dropped below the requisite 2.0 G.P.A.

The complaint states that Leverson, who is black, along with other minority students have been the target of discriminatory practices. The complaint alleges a failure of faculty members to give out 1/3 point adjustments on final grades to minorities, together with a failure to maintain an open door policy for these students. It further alleges that professors believe "blacks and other minorities are inferior to white students and are only enrolled because of the burdensome federal regulations."

Leverson seeks reinstatement in the school, the purging of all reference to the dismissal, and one million dollars in damages stemming from a claim of mental anguish, pain and suffering, loss of self-respect, insomnia, nausea and other related ills. — Risa Cohen

Have a Tenant Complaint?

The New York State Consumer Protection Board has been monitoring complaints in the landlord-tenant area and has announced that it will be drafting legislation creating "A Tenant's Bill of Rights." The new law would prohibit such common practices as: putting void or illegal clauses into leases to mislead tenants, withholding security deposits after the lease has ended, and entering tenants' apartments for "inspections" with no prior notice to the tenants.

The Board has noted that many students, as temporary residents of college communities, have suffered some of the worst abuses as tenants. In order to determine other areas of the law which must be strengthened to protect tenants, the Board is interested in receiving student comments, suggestions, and copies of their leases. Those students who are interested in protecting their tenant rights or who have tenant complaints should send all relevant material to the New York State Consumer Protection Board, Advocacy Unit, 99 Washington Avenue, Albany, New York, 12210. Confidentiality shall be respected. — Dennis T. Gagnon

Lawyers Make Better Motions

The Legal Association for Women (LAW) is presently selling T-Shirts as a fundraiser. The proceeds from the sale will be used to fund LAW members going to the 11th National Conference on Women and the Law in San Francisco, California.

The logo on the T-Shirts is "Lawyers Make Better Motions." They are selling for 6 dollars each or two for ten dollars. Red nightshirts with the same logo are available in the 47 Worth Street lounge or in the LAW office (Room 205, 47 Worth) for seven dollars or two for twelve dollars. — Carol Schlein

Notice: Census Disclosure

Under the Family Educational Rights and Privacy Act (FERPA), all institutions of higher education are precluded from disclosing information contained in a student's education records without the consent of the student. An exception in this statute is termed "directory information" (relating to names and addresses).

We have been asked to cooperate with the U.S. Census Bureau by making available to it each student's name and address.

It is the intention of New York Law School to furnish the names and addresses of each student to that governmental agency or any other governmental agency requiring same.

If you feel that you do not wish such disclosure to be made, it is necessary for you to inform me, in writing, of such refusal no later than February 29, 1980.

Arnold H. Graham
Vice Dean
Richard & Harrison Join Faculty

by Risa Cohen

Starting this semester, New York Law School welcomes two new professors to the faculty: Irving Richman, former United Kingdom representative to the United Nations, and Harrison J. Goldin, Comptroller of the City of New York.

Prof. Richman was appointed Ambassador and Permanent Representative of the United Kingdom to the United Nations in March, 1974. Prof. Richman was educated at Pembroke College, Oxford, and holds a B.A. in Politics. He received his J.S.D. degree from Harvard University, and became a Queen's Counsel. He has been an active member of the Labour Party, and was a Labour Party Member of Parliament for ten years.

Prof. Richman has a long history of government service. He was a delegate to the Assembly of the Council of Europe and to the Western European Union; he has served as Parliamentary Private Secretary to the Secretary of State for Social Services, and Parliamentary Secretary to the Minister of Defence. In addition, he was opposition spokesperson in the House of Commons on Broadcasting, Pensions, and the National Health Service. Most recently, he was appointed Chairperson of the Geneva Conference on Rhodesia, in 1976.

At present, he is a member of the National Union of Civil Servants, the Fabian Society, the Society of Labour Lawyers and the Royal Institute of International Affairs. This semester, Prof. Richman holds classes in International Organizations and International Relations.

Goldin Joins Faculty

Harrison J. Goldin received his undergraduate education at Princeton University. He later attended Harvard University Graduate School of Business Administration as a Woodrow Wilson Fellow. Prof. Goldin received his LL.B. at Yale Law School; he served as Articles Editor of the Law Journal and was awarded the prestigious Ordway Order of the Grot.

Prof. Goldin has been associated with the United States Department of Justice and with the firm of Davis, Polk and Wardwell. In

Prof. Honored

By Celeste Dowicz Miller

Justice Ernst H. Rosenberger, State Supreme Court Justice and Adjunct Professor at New York Law School, was honored for his outstanding work in the field of criminal law education by the Criminal Justice Section of the New York Bar Association at a luncheon at the New York Hilton on Thursday January 24, 1980.

Professor Rosenberger, a popular lecturer at the N.Y.U. School of Law, is the author of General Principles of Criminal Law, published by The Iowa State University Press.

An Advertisement

Alumni News

Dean's Day Planned for March 8th

by Risa Cohen

On March 8, the 20th Annual Dean's Day and Symposium will be held at the Waldorf Astoria. The chairman this year is the Hon. Eli Wager. Prof. Otto L. Walter '54 will be the recipient of the Distinguished Alumni Award.

The morning activities will consist of three concurrent panels: Contested Estates, moderated by Prof. Joseph Arenson; Cross Examination in Criminal Cases, moderated by Lorin Duckman '78; and Special Evidentiary Problems in Matrimonial Cases, moderated by Prof. Norman A. Shereky.

A luncheon will be held in the afternoon where the Hon. Jack B. Weinstein, U.S. District Court, Eastern District of New York, will speak. The Alumni Award will be presented at that time.

The Alumni Association encourages students to attend; student tickets are available for $10.00. Please contact the Alumni Office.

Match Grant

A $50,000 Challenge Matching Grant has been established by a graduate of NYLS this year's Annual Fund. The gift will match dollar for dollar any new gift or increased gift up to and including $1,000 donated to the law school by June 30, 1980. The monies raised by the Fund are used for scholarship assistance.

Legal Education

The Alumni Association will be sponsoring the third in a series of four seminars in its "Continuing Legal Education Program", on Tuesday February 29th at 6:30.

Another factor which has undoubtedly contributed to the early enrollment momentum is the increasing reputation of BRC's unique National Law Journal, Washington, D.C., and the BRC's wide-ranging influence in the legal community. This success has been attributed to BRC's unique National Law Journal, Washington, D.C., which provides information on legal developments in general, and bar review courses in particular.

Over the past two years, the BRC has developed an extremely attractive package, which includes the following for a payment of $250 ($100-$150) in most states and the next three years:

- 20% cash discount on all CES among both law students and teachers as the finest law study aids available.
- A $50,000 Challenge Matching Grant has been established by a graduate of NYLS this year's Annual Fund. The gift will match dollar for dollar any new gift or increased gift up to and including $1,000 donated to the law school by June 30, 1980. The monies raised by the Fund are used for scholarship assistance.
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Whatever the reasons, however, the facts are clear: more and more first year students are thinking ahead and enrolling in BRC courses now.

Why are so many first year students enrolling in bar review courses?

Until a few years ago no one thought about a bar review course before their senior year. Today, however, close to half of all those taking courses enroll in their first or second year of law school and early enrollments in at least one major bar review course, the Josephson BRC (Marino-Josephson) - are at an unprecedented rate. There are three apparent reasons for this development:

- Students are looking ahead to the spiraling costs of legal education in general, and bar review courses in particular.
- For a payment of $50 (which will be fully credited toward bar review tuition), the student receives free first year outlines in four major areas (Contracts, Criminal Law, Criminal Procedure and Torts), a free cassette tape program on "How to Write Legal Essays," two 50% cash coupons on CES Substantive Law books for $250 (Basic Course) or $225 (P.S. Course) representing at least a $100 savings from 1981 prices.
- In New York, for example, this means that a student enrolling early will pay only $325 as against a likely $495 tuition in 1981 and $525 tuition in 1982. In New Jersey and Pennsylvania (where fewer subjects are tested), the early enrollee may receive the course for $250 (Basic Course) or $225 (P.S. Course) representing at least a $100 savings from 1981 prices.
- The BRC's National Law Journal, Washington, D.C., which provides information on legal developments in general, and bar review courses in particular.
- A $50,000 Challenge Matching Grant has been established by a graduate of NYLS this year's Annual Fund. The gift will match dollar for dollar any new gift or increased gift up to and including $1,000 donated to the law school by June 30, 1980. The monies raised by the Fund are used for scholarship assistance.

Third, there has been a conscious effort by BRC and Marino-Josephson/BRC to remove psychological impediments to early enrollment by allowing free withdrawal for students who drop out or fail out of law school.

Another factor which has undoubtedly contributed to the early enrollment momentum is the increasing reputation of BRC's unique National Law Journal, Washington, D.C., which provides information on legal developments in general, and bar review courses in particular.

In addition, the CES Substantive Law books are available at a discount for $250 ($100-$150) in most states and the next three years.

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Part One: Real Facts of Legal Labor

By Jerome D. Maryon

Recent reports have indicated a surfeit of law school graduates seeking legally-related employment. This problem is particularly bad in New York City and grows worse with time. An issue arises as to whether law schools have a duty to disclose this situation or whether the prospective students have a duty to investigate. Since the financial investment is substantial, it is important to know who bears the burden.

The Fiction

The January edition of The American Lawyer featured an article on the problem of placement. Steven Brill, author of the article and editor of the newspaper, focused upon the plight of a 1979 graduate of NYLS, Wendy Small (a pseudonym). "For six months now, Small has been putting in 12-hour days. Small finished near the top third of her class, has fine recommendations and contacts, and yet she has not been able to find a job. Brill used the example of Small to underscore the tight job market and the extreme lengths to which graduates must go. This search is not facilitated by what the article deemed an inadequate placement office.

Brill observed that Small is "one of thousands of surprised, disillusioned victims of a glut of lawyers in the marketplace." Small is depicted as one of the better graduates of NYLS. If Placement could not help Small, how can it aid the marginal student? Among other figures, Brill characterized an estimated 40 to 60 percent of the school's class of '79 as unemployed. The conclusions appear grim from the report.

Research, however, has shown that Brill's figures for our class of '79 do not correlate with the actual statistics (given below). In addition, several of the people interviewed in the article, including Dean Bruce and placement officials in neighboring schools, allege consistent misquotation by Brill. Our own Placement Director, Lynn Strudler, has aired complaints regarding her short telephone contact with him; no interview was conducted at her office.

More significantly, only a part of Small's story was told. Brill has not begun hunting until after she failed the bar exam. Even then she did obtain job offers, though none matched her desires. She is employed now.

The editor implied that the lack of reliable data in his expose was due to the slowness of deans and placement officials; apparently, no one wished to speak with Mr. Steven Brill. During this reporter's work on this article, Brill, too, has re-...
One way to combat inflation

Using the principle of group buying power, NAFI (National Alliance to Fight Inflation) provides hundreds of dollars of benefits to keep the cost of legal education down. Join by enrolling in any 1981 or later BRC or Marino-Josephson/BRC bar review course and receive:

NAFI members who join in their first year of school can receive up to eight free BRC outlines, new and unmarked. First Year Package: Contracts, Torts, Criminal Law, Criminal Procedure. Second Year Package: Evidence, Constitutional Law, Professional Responsibility, Real Property. Value — over $80.

CES tape on "How to Take Law School Exams" by Professor Michael Josephson. Value — $12.75.

A special Preferred Student Discount card which entitles you to a continuous 10% discount on items published by, and ordered directly from the Center for Creative Educational Services (CES) including Sum & Substance books and tapes; Essential Principles outlines; briefing pads; and short form note pads. Value — depends on use.

Two 50% cash discount coupons on any CES tape series on any subject. Value — up to $30.

Rollback Bar Review Tuition

When a NAFI member enrolls in a BRC course, all money paid goes to and freezes bar review tuition at last year's price, saving at least $150 from anticipated 1981 and 1982 prices.

Offer expires March 21

NATIONAL ALLIANCE TO FIGHT INFLATION

A JOINT PROGRAM OF CES AND BRC

See a campus rep or call a local office for details.

New York Office: 212/344-6180
Massachusetts Office: 617/267-5452
New York City's Summer Management Intern Program offers up to 100 college seniors and graduate students the opportunity to work in City government for 10 weeks. As interns, students work with management and supervision in various parts of the executive branch, in line operations, or special programs that make up the municipal government. Internship assignments are offered in a variety of City agencies, and interns select an assignment that most closely fits their talents, skills, and career goals. Students in graduate management, urban planning, law, as well as liberal arts, science and business administration are encouraged to apply. The internship will include a seminar series designed to give the participants a broad overview of major issues confronting the City.

Applications will be evaluated for academic performance, extracurricular activities and work experience which demonstrate the student's capacity to work effectively and independently. The ability to write clearly will also be an important factor in evaluating applications.

Eligibility Requirements

All students must have a permanent home in New York City and must be fully matriculated seniors or graduate students for the Fall 1980 term. They may be enrolled in out-of-town schools as well as in New York City. Former Summer Management Interns and New York Urban Fellows are not eligible.

Additional Information

Internships begin June 16 and end August 22, 1980. Interns are expected to be available from the latter part of May for placement interviews and for one-day orientation.

All interns work a 35 hour week and are paid effective June 16, 1980. The stipend for the ten week program is $1,500, paid on a bi-weekly basis.

Applications and requests for further information should be addressed to: Director, Summer Management Intern Program, Department of Personnel, 32 East 58th Street, New York, New York 10022. Telephone (212) 661-3932. The application must be postmarked no later than March 15, 1980. Applicants will be notified of their acceptance by mail in the latter part of April.

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Top Ten Pizzas Rated

Frozen pizza has become an American staple. In the Middle West, it's the No. 1 frozen food. New Yorkers typically are less familiar with the frozen food counter, accounting for some $621 million in sales.

Although New Yorkers are enthusiastic consumers of the sidewalk and street corner, they still have an enormous appetite for supermarket pizzas. New York is the country's largest single market for frozen pizza. And New Yorkers consume $33 million worth of the crusty, cheese-topped creations.

Recently The New York Times gathered a panel of tasters to sample the many competing pizzerias in the New York area and found that few of the pies had much in common with classic pizza. Even the favored frozen pizzas were judged to be only fair. All were judged according to size, type and quality of the crust, the flavor, the cheese, the sauce, and the quality of the sauce.

The panelists concluded that in selecting a frozen pizza, consumers should look for one with a brief list of ingredients, preferably one made with nothing but dough, tomatoes and mozzarella. Those with the shortest list of ingredients generally present the best nutritional buy as well, containing about 250 calories per 1/4 ounce serving, and providing about one-fourth the daily need for protein.

Just as the taste panel included Larry Goldberg, owner of Ludo's Pizza in Manhattan; and Michael Losurdo, who has been making mozzarella cheese since he was 7 years old. Mr. Losurdo imports and markets ingredients for the pizza trade.

The following pizzas were tested and are listed in order of the company's share of sales in the New York City market.

---

**Stouffer's French Bread Cheese Pizza, Stouffer Foods, Solon, Ohio**

- Price: $1.75 for 10 1/2 ounces
- Description: Sauce was bland, no discernible cheese flavor to the topping. Chemical taste, flavor of stale garlic powder. Must expensive pizza sampled.

**Celeste Cheese Pizza, Quaker Oats Company, Chicago**

- Price: $1.09 for 7 ounces
- Description: Freshest looking of those sampled, with a good crust. Yet topping was bland, paid effectively, top sbu and oil-looking once baked. No discernible cheese flavor.

**Tree Tavern Cheese Pizza, Tree Tavern Cheese Products, Paterson, N.J.**

- Price: $1.05 for 12 ounces
- Description: Promised much yet delivered little, with bland flavor, no hint of tomato or cheese.

**Buon'Itoni Cheese Pizza, Buon'Itoni Foods Corporation, South Hackensack, N.J.**

- Price: $1.29 for 15 ounces
- Description: Best product, well made, bright flavor, attractive crust and topping. Best of all.

**Joe's Pizza, John's Pizza, Luciano's Pizza, Pizzeria Uno, Pizzeria Uno, Inc., Chicago**

- Price: $1.29 for 12 ounces
- Description: Best flavor and texture. Good price too! One of the best, with a smooth, well seasoned crust and sauce.

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**Patricia Wells**

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Women's Conference...

(continued from page one)

is unwilling to give its women equal rights and the protection of the law should not be sending them off to die.

Holzman's address was well-received by those present. Currently serving her fourth term in the U.S. House of Representatives, Holzman has announced her candidacy for the Senate. She described her experience as a Congresswoman as "a great privilege," but made no comment as to the senatorial race or the presidential candidates. The thrust of her arguments was aimed at the need for more women in the political process. "We need you," she said, "and you need us."

Following Holzman's address, the Conference divided into panels to discuss "women in government and politics," "women's health and reproductive rights," and "employment discrimination."

Morning Panels

The subject of women in government and politics was addressed by a panel of four. The Honorable Linda Lamel, Deputy Superintendent of Insurance for New York State, was joined by The Honorable Olga A. Mendez, Senator from the 30th District in Albany; The Honorable Ann Thatcher Anderson, General Counsel to the New York State Division of Human Rights; and the Honorable Betty G. Schlein, Special Assistant to the Governor for Nassau County, New York. Moderator was Carol Schlein, President of LAW at NYLS.

The second panel of the day, moderated by Kay McRae, addressed the issues of women's health and reproductive rights. The panelists included: Sybil Shainwald, of Julien, Schlesinger and Fins; Janet Benshoof and Judy Levin, of the American Civil Liberties Union; and Eve W. Paul, Vice President for Legal Affairs of the Planned Parenthood Foundation of America.

Ms. Shainwald discussed Bickler v. Lilly, in which she successfully represented the plaintiff in an action against DES manufacturer for injuries caused by the drug during her mother's pregnancy. Ms. Benshoof then presented the highlights of McKeel v. Harrets. The court held that excluding abortions from the Medicaid program violates First Amendment rights of freedom of conscience and Fifth Amendment rights of privacy, due process, and equal protection.

Minors' Rights

Minors' rights to medical care were also discussed. Ms. Paul indicated that in her opinion the Supreme Court "is firmly committed to abortion rights" for minors. Ms. Levin, in contrast to Ms. Paul's position, enumerated the scope of restrictions on abortion. She also discussed the forced sterilization of women and noted that the HEW now has regulations requiring that the permanent nature of such surgery be fully explained to women.

The second luncheon was the Honorable Margaret Taylor. Judge Taylor, who has been on the bench of the New York City Civil Court since January, 1978, spoke on the topic of the decriminalization of prostitution. In ruling that the N.Y. prostitution laws are unconstitutional, Judge Taylor contended that there is no justification for the criminalization of an act of two consenting adults, no matter who pays the money. While she did not advocate licensing prostitution, she insisted that it should be decriminalized since no public interest is discernable in fining, arresting or jailing prostitutes. In regards to subjecting prostitutes to fines, Judge Taylor stated, "To me this makes the city a pimp." One suggestion made was that men should organize consciousness raising conferences, as women frequently do. She noted that "if men weren't patronizing it [prostitution], Forty-Second Street wouldn't be there." Judge Taylor's speech was well received and often punctuated by laughter from the audience as she successfully attempted to lighten the seriousness of the subject matter.

Afternoon Panels

Luncheon was followed by afternoon panels on "legal careers," "child custody," and "women in the criminal justice system."

Panel Four, entitled "Legal Careers," was moderated by Novalyn Winfield and consisted of four litigators and one corporation.

Jessup Moot Court Team

The Jessup International Law Moot Court Competition will be held the weekend of March 8 at Brooklyn Law School. NYLS will be represented by Michael Margello, Bob Conroy, David Fier, Mark Conrad, Svetlana Petrov, and coach, Prof. C. Chinkin. The problem, patterned vaguely after the Russian satellite crash in Canada last summer, raises various aspects of international law incident to the operation of sensing satellites.

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Delicious Salads, Sourdough Breads
Vegetarian & Health Foods
Prime Roast Beef Brisket & Corned Beef
Much More — All at Reasonable Prices

American Cancer Society

Page 7
**Editorial: World Crisis: A Time To Care**

It is not customary for EQUITAS to use its editorials as commentaries on affairs occurring outside the New York Law School community. The recent events in Afghanistan and Iran are such of such importance that to ignore them would be a gross injustice to our readers and our journalistic goals.

Whether the events in the Middle East are the result of a disorganized and gullible C.I.A. or President Carter's simplistic foreign policy and misguided and immature trust of the Soviet leaders, the fact remains that a severe weakness exists in our international policies. The Nation should be thankful to the Soviets and Iranians for bringing this problem to light and for alerting our naive leaders to the seriousness of the situation.

Despite the new Summer Olympics Games and the reinstatement of registration for a draft. Whether one wholeheartedly supports these proposals and actions or condemns them outright is really not the point. Neither is the purpose of this editorial to choose one of these positions nor to support any particular political candidate. The purpose, rather, of this journalistic plea is to ask that before making such an important political stand one be totally informed of the facts, implications, and future effects of such decisions.

The legal profession, because of its traditional fiduciary relationship to society, must be cognizant of the more fundamental implications of the Afghan and Iranian crises, that is, the severe threat to and subjugation of the basic human freedoms and human rights. Furthermore, this school, together with the ABA, publishes the magazine *Human Rights*. With these resources, together with all others at the profession's disposal, attorneys, as well as law students, must make a conscious effort to make the best decision of which they are capable, as if their lives depended on it — which, someday, they may.

EQUITAS invites and strongly encourages its readers to write and share their views on this important topic. All responsible articles will be considered for publication. Let this be your forum for an exchange of ideas.

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**Welcome Mid-year Students**

EQUITAS welcomes the class of January, 1983. You are entering law school at a time when the entire legal profession is in a process of change. It is also a time of regeneration in student involvement in NYLS — as evidenced by the large number of student organizations participating in law school life. Become involved. EQUITAS joins all students and faculty in welcoming our new mid-year colleagues to our home. Good luck!

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**Famous Last Words & Thanks...**

by Vincent F. O'Hara

"The Presidency is merely a way station on route to the blessed condition of being an ex-President." John Updike

I thought it might be appropriate to write my first article for EQUITAS as I will retire shortly into the blessed condition of being an ex-President. Rather than attempt anything as auspicious as a "state of the school" address, I would like to share some personal opinions on my experiences this past year as SBA President, and to thank some of the people who helped, despite apathy and criticism. For those whose only contact with the school is reading EQUITAS, the SBA is still nonexistent. For everyone else, the SBA came back from the dead this year. I think you should be made aware of a dedicated group of class reps who work hard with little or no recognition.

This year, the SBA met once a week, with most reps attending every week. Some of their accomplishments include: a vote on a new constitution; parties which now transcend "wine & cheese;" community service (e.g., a blood drive and toy collection at Christmas, and, hopefully, a CPR program soon); speakers; open forums for the deals to address school-wide problems; a wholesome, fair, with all the student groups and the FBI present; sporting events, such as the mini-marathon and upcoming basketball games; an SBA Rap Sheet to keep students informed; the planned Bermuda trip; and, a faculty forum on elective courses. Almost all of the events were held after 6 PM or on weekends, in order to allow evening students to participate, if they could find the energy. I have not mentioned the names of all the individuals responsible because of the lack of adequate space and fear of leaving someone out. They deserve more praise than my thanks; you also deserve yours.

In the interest of being fair, there were problems that the SBA has not solved or addressed. For example, despite our petitions, the school retained its scheduling of required courses on Friday (Evidence and Ethics). As a working student, I appreciated the value of clerking on motion day and the importance of an income. Dean Bruce felt it was in the interest of the law school to concentrate on the academic advantages of such a schedule. Though we disagreed, Dean Bruce is genuinely concerned with both student problems and the improvement of the academic status of the school.

The SBA has intentionally refrained from entering the tenure dispute. While we are concerned about the dispute, it is basically a matter of faculty-trustee concern. Unfortunately, the SBA is not allowed to attend trustee or faculty meetings, and is only privy to the contradictory opinions of those who might know. We do not judge the qualifications of the procedure for the tenure of any individual professor, but, we will insist that they be fair and result in the best interests of the school.

Finally, the SBA failed to secure free membership in the Alumni Association for graduating students. Traditionally, membership had been free until the Marshall-Lippman dispute last year. Now, the membership fee is five dollars. I hope to convince the Alumni Association that my class holds the future of the association and does not present a threat to it.

These are just some of the problems that the SBA has faced. Despite the view that the SBA does not express a view in controversial areas, in reality, the SBA is just being careful about stating the student point of view.

In closing, I would like to criticize some people. No, not the administration or faculty we disagree, sometimes respectfully, sometimes vehemently, but I believe they are trying to improve the school. The people I wish to offend are some of the pontifical critics whose next constructive thought would be their first. I have never been described as a Utopian, but if trying to improve NYLS by offering suggestions, and seeing progress at the School is conceived Under Fire, I believe I have seen, better than most, this school's deficiencies, and I hope that I've at least made people aware of some solutions. However, the school's biggest drawback is the pontifical student critic who revels in denigrating the school. In poetic justice, their designations become self-fulfilling prophecy, and they graduate ignorant, self-centered and cynical. I think my classes contains some of the brightest, most hard-working people I've ever met. Perhaps some day they'll get to hear some law student have to explain, "No, not New York Law, N.Y.U."

Special thanks to my close friends who got me elected and then helped me keep my sanity.

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**EQUITAS OPEN HOUSE**

February 20, 1980

3:00 p.m. to 7:00 p.m.

All students interested in joining their school paper and the entire NYLS community are invited to visit us. We are now located in 53-BBS.
Carro Explores Law and the People

by Howard Jordan and Edward Lopez

Judge John Carro, a graduate of Brooklyn Law School, is the first Puerto Rican to be appointed to the Appellate Division of New York State. After a period of private practice, he was appointed, in 1969, as Assistant to Mayor Lindsay on Latin Affairs. In 1989, Carro became a Criminal Court Judge, and he became a Supreme Court Justice in 1977. His appointment to the Appellate Division in 1979 represents a high point in his illustrious career on the Supreme Court. Bench. Judge Carro’s contributions to the Black and Puerto Rican communities allow him to bring to the law a perspective desperately lacking in the American legal arena. The following question-and-answer session will allow the reader some insight into this unique individual.

EQUITAS: Have you been labeled “the Puerto Rican Bruce Wright.” How are you aligned or divergent with his policies?

CARRO: This is something that I view as an accolade rather than a denigrating statement. I respect him a great deal, and I have supported him whenever he has been professionally attacked. I agree with his policies on bail wholeheartedly. The Jones Study—at the request of Governor Rockefeller in 1962—showed that we give out the important thing—and answer session.

EQUITAS: You have also received some bad publicity over your lenient sentencing policy. How do you justify such a policy?

CARRO: One thing that we must realize is that we are not in the Stone Age. This country is more punitive than any other country that I know of in terms of the sentences we give out. The important thing to remember is that it is not the length of sentences but the certainty of punishment that deters crime. Sentences that are disproportionately long tend to be self-defeating, because let us never forget that these people have to eat. Let’s be realistic about it. For many of our people, bail is a punitive device. We cannot have two systems, one for the rich and one for the poor.

EQUITAS: We are talking about fixed sentences as if prison were a panacea for society. Why have you chosen this approach?

CARRO: One thing that we must realize is that we are not in the Stone Age. This country is more punitive than any other country that I know of in terms of the sentences we give out. The important thing to remember is that it is not the length of sentences but the certainty of punishment that deters crime. Sentences that are disproportionately long tend to be self-defeating, because let us never forget that these people have to eat. Let’s be realistic about it. For many of our people, bail is a punitive device. We cannot have two systems, one for the rich and one for the poor.

EQUITAS: What do you think should be the role of a law school?

CARRO: I think that the law schools don’t do enough in terms of bringing out the sorts of lawyers that can meet the basic needs of the community and its people. Most law schools feel that this is not their function. What happens is a student goes to law school highly motivated to help his community and is processed by the school. By the time he comes out, his motivation and ideals are out the window. Instead he goes to work for some big corporation having nothing to do with community needs. Law schools tend to build elitist attitudes in people. For example, if you are fortunate enough to go to a good law school, that supposedly makes you a giant among the pygmies. You are now part of the blessed. I have never subscribed to that notion. Law school should be geared to giving third world people courses that relate to their community and that enable them to effectuate changes in that community.

EQUITAS: What do you think has been the effect of Bakke on law school admissions and, subsequently, on the Puerto Rican community in the United States?

CARRO: These cases have resulted in cutoffs in the admissions of minority students to law school. Unquestionably, the number of blacks and Puerto Ricans in law schools is steadily decreasing. Bakke provided the justification for this decrease. The net effect is that there will continue to be a vast underrepresentation of professionals to serve our community.

EQUITAS: What appears to be a disillusioning prospect for the Puerto Rican community in the United States, what is your view on the status debate among Puerto Ricans on the island?

CARRO: I favor independence for the island. Puerto Ricans don’t need the second-class citizenship that defines Puerto Rico’s present relationship with the United States. The people on the island should be allowed to maintain their dignity instead of being taken over by the crutch of welfare and food stamps. It is a failure of the Puerto Rican community in the United States to accept this. I was deeply impressed by Cuba. I visited Cuba, and I brought with me the traditional stereotypes about the Cuban government. However, I was deeply impressed by Cuba. I saw people full of political enthusiasm over the results of the Cuban revolution. Though I didn’t visit the political prisons, they have a different perspective on the legal system. Their whole perspective does not have dollar signs attached to it. For example, if you break somebody’s arm in Cuba you have to support his family. In essence, they have real rehabilitation programs. They are taught real trades, not like in the United States where prisoners are taught how to make license plates. They allow conjugal visits and prisoners are not treated like animals. There is no plea bargaining or probation department. There is a real concern for when you have committed the crime. This is unlike the United States where, after the prosecution produces all the elements of the crime, the “why” becomes unimportant.
by Henry Cornell

If the events of the last few months have revealed anything of importance to us, it is that relationships, and time, are at once fleeting, and out of our control. Realities once steadfastly relied upon, seem to transform overnight. The result is anguish of the unexpected change, but the often bitter, angry realization that we've once · fleeting, and out of our control.

not only the fear that · springs from the
have revealed anything of importance to
us, it is that relationships, and time, are at

Financial Aid

All students interested in applying for financial aid for the 1980-81 academic year should:
- Obtain Guaranteed Student Loan application forms from the lending institution and submit to Financial Aid Office during April and May.
- Remember: You must apply each year for financial aid, all forms must be completed. Grants-in-aid and College Work things falls flat. They barely utter more than a few monosyllables which suffice to get them merely through the door and out into the street — separately.

All three of the principals perform with superbly executed restraint. Thus, when Roy Scheider confronts his friend over lunch, he takes his anger out on the waiter, rather than threaten a relationship he treasures. In another scene, a child, Ned, has been born to Blythe Danner during the affair. The audience, as well as Scheider continually speculate if the child is, in fact, his. During a cocktail scene at the happy couple's home, the matter is teased but not pursued to any logical conclusion. Instead, the conversation slides with a slightly tipy elliptis into less dangerous subjects. They've ventured too near the truth, too close to the heart of the matter.

One of the oddest aspects of this intensely intriguing play (and its profoundly disturbing point of view) is that so much of this fencing back and forth is funny. The laughter, however, is hopelessly entwined with savagely repressed emotions. The uncertainty of this humorous stumbling in the dark, develops along with a growing tension that is never quite allowed its much due cathartic release.

By the time Betrayal reaches its final scene, which is also its first scene (the play moves back from 1977 to 1968), it has acquired layer upon layer of lies, pain, and an end to any hope which might have existed.

The incongruity of the last scene — a freeze-frame of Julia holding Blythe Danner tightly — is an image of permanence, the one thing we know it not to be. This is incredible work; I can only hope things don't work out this way?
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Tyrone Butler
Legal Giants Debate Grading Fiasco

By Wheeze and Deedodah

Once again, P. Cornelius Wheeze and Zip A. Deedodah, having recovered from the verbal abuse directed toward each other in their last column, will attempt to discuss an issue vital to the survival of every law student. In this column, the discussion will center around the distribution of grades. Mr. Wheeze will field the punt in favor of the administration's current procedures, while Mr. Deedodah will tackle the counter-punt, calling for the adoption of any system other than the present one.

Punt:

As a consequence of your crude response to my sincere and faithful appraisal of the architectural plum that adorns our newest building, I hesitate to put pen to paper. But the trooper in me will not succumb to your pedantic penmanship. Instead, I will step forward armed with unassailable conclusions based on the purest objectivity.

As befits my chosen vocation, I will begin with a brief analysis of the facts. Last week, while dining at one of my favorite secluded cafes, I happened to strike up a conversation with one of the busboys, J. Walker. A well-bred servant, his first concern was for my well-being; but, in time, the conversation focused upon himself. He made it clear that his present position was only temporary, and that he expected, at any moment, to embark upon his chosen course — the practice of law. Immediately, my interest was aroused. First, because of the identical nature of our callings, and second, because of his age (he is eighty years old). Nowadays age is not as crucial a factor in career choice as it once was; but, truly, the inaction of a task so arduous as the practice of law, by one who has attained so many years, cannot be looked upon complacently. I retained my usual contemplative demeanor and began to question him.

How, said I, could it be that he waited so many years before choosing his profession? He had not waited, he said. In fact, the necessary steps had been taken some years ago (sixty, to be exact). At that time, he was finishing his final semester in law school. I was intrigued to find that he had attended our alma mater long before it filled its shelves on Worth Street. He continued. Then as today, grades were of some importance. His wife, at the time a classmate of his, was on the Law Review. He was not. But, despite that minor difference, both were assured of bright and prosperous futures. Then came the unthinkable. At the term's end, only one-tenth of all students received their grades. The other 90% still waits (due to their staggered entrance into the job market, a divorce soon followed, with the professor is excused and ended on the grounds of the duress of academic numerosity whose ivory towers had grown so much taller since the school days. The course menu alone would set even the dullest of academics salivating: "Fiction in Law," "Broadway Law," "The Law of Urban Renewal Bankruptcy," and even a free mini-lesson on the art of legal lecturing for inflated fees.

Think, too, he noted, of the versatility of the present administration! In less rewarding days, finances were slim and dears in short supply. But today, not only is there a dean assigned to every floor of each building, but there is even a class of "acting" deans ready to appear "cleaning" at a moment's notice. Certainly a rare opportunity, mused J. No student should complain, since soon the tuition will be too high to attend, thus leaving it all to the contented deans, unhappened by prying novitiates. Yes, concluded J. Walker, the wait for his final grades had been a good preparation for his life to come.

He had passed over the hurdles without a fall, and was ready to embark on his professional career. Soon, the last grades will arrive and the allure of the hunt and challenge of the interview would be his. What luck! And to think that my first reaction was one of condemnation. What could have been further from the truth? The administration should be thanked for providing this necessary period of reflection before providing a student's grades.

Knowing full well, Zip, your ability to distort the beauty of such a touching story, I fearfully await your response.

P. Cornelius

Counter-punt:

P. I am afraid that the only thing "touched" in your story is that piece of Iranian caviar you call a brain. Your dialogue with this mysterious Mr. Walker appears once again to be another of your feeble attempts to defend our administration and all who skulk within.

Your entire story, while certainly a heartwarming one destined to be seen some evening as a plot for the ever-popular "Waltons," misses the point. While this is a typical result for one so simplistic as yourself (you didn't get the nickname "Ameena Man" for your looks, you know), it cannot go unanswered.

In case you haven't noticed during your dash up the educational ladder, the normal schedule adhered to by most elementary and secondary educational institutions follows a pattern of logic and intelligence. A student takes a number of courses, takes a final exam in each course, and, before moving on to a higher level of study, receives a grade which either allows him to move onward or requires him to repeat the necessary course. You will notice I emphasized before he moved to the next level of study. This emphasis is necessary so that even you, P, with your "Khameleon-quick" mind, will note the difference between the norm and our administration's way of doing things.

It appears to have been decided that logic and intelligence need not apply when one reaches so high a level of academic achievement as our own. What else could be the reasoning behind moving a student on to the next level of study in a course (as happens to first-year students), before informing him whether or not he has passed the first level of study? Could it be that the administration does not wish the student to realize what kind of grades he has until it's too late to transfer out? Or is it that they appreciate the extra money they can receive by making a student pay his tuition before informing him whether or not he can continue as a student? This problem not only affects the first-year student, but, as you can imagine, the so-called "senior," who, when proclaiming his final semester, attempts to accumulate enough credits to reach the magic number of 85, without ever knowing if his current courses will qualify him for graduation. It should be noted, however, that the administration will graciously allow a "senior" to register late for a course if he fails another. Isn't that simply peachy? Imagine the benefits accompanying registration for a course one month after it's begun.

I find it equally curious that even you, P, with your "Nixonian" sense of fair play, fail to see the inequity that occurs in terms of deadlines. When a student is faced with a deadline, whether it be to hand in a paper or pay tuition, generally tardiness will result in a penalty of some kind (whether it be a reduction in grade, or a late fee of $20.00). Yet, when a professor returns his grades weeks after the reasonable period for grading has passed, the professor is excused, defended on the grounds of the arduous nature of his task. It appears to me that in today's economy no task could be more arduous than that of raising the tuition necessary to attend our hallowed halls (or is that "hollow" halls?).

You see, P, while your dear Mr. Walker has adjusted to his current situation, many of us are not as fortunate. We need to know each semester, as quickly as possible, whether or not we have once again fought off the dreaded Probation Committee, and whether we can continue our education and move toward our ultimate and long-awaited goal — the driving of our own yellow cab.

It is time, then, to conclude my futile attempt to open your eyes to the injustices in front of your face, and request that you try as valiantly as possible to engage that "tinker toy" mind of yours, and search for the solution to the puzzle that perplexes each and every law student: "I came, I tested, I wonder?"
Panels Discuss Women in the Law...

(continued from page six)

rate attorney. Emily Jane Goodman, the only panelist engaged in private practice, described her practice as concentrated in the fields of matrimonial, criminal, housing and literary law. She strongly urged that a lawyer should take sides and identify with his or her client on the issues. For example, the only clients she represents in housing cases are tenants, without exception, and, in the matrimonial cases, she will only represent women.

Judy Kozelowski described her experience as a trial attorney in the U.S. Attorney's Office for the Southern District of New York, by remarking that "there is a double standard at least in my work... I feel that at least when I go into court I have to be more prepared (than the men lawyers)..." Gail S. Port, a litigation associate with Winer, Neuberger and Sive, noted that while litigation is very demanding, it can also be very exhilarating. She described her workload as very diverse.

Ann M. Moynihan described her work as a staff attorney in the Civil Division of the Legal Aid Society of New York as concentrated in housing and governmental benefits practice. After a year of taking Article 78 proceedings, she began to identify the fact patterns and bring class actions. Recently she obtained a final judgment in the Medicaid area which better suited her clients than other benefits. Applications may be picked up at the office of the Office of the State Comptroller.

The fifth panel was moderated by Sol- edad Rübert and concerned child custody matters. The panelists included: Phillip F. Solomon, one of the country's foremost experts in the field of matrimonial law; Dr. Doris Jonas Freed, counsel with the firm of Winer, Neuberger and Sive, where she is a specialist in the field of matrimonial law; Myrna Felder, an active practitioner in the field of matrimonial law at both the trial and appellate levels; and the Honorable Felice K. Skae, a judge of the Civil Court of the City of New York and Acting Justice of the Supreme Court of the State of New York.

Mr. Solomon discussed child custody from the father's perspective and emphasized that the decision in Salk v. Salk has produced a tremendous revolution in this field in that many fathers have begun to seek custody of their children. In Salk v. Salk, a father won custody of his two children on the ground that they would fare better with him. In deciding which fathers' cases to take "your choice will almost be instinctive" since you are dealing with the lives of children. Dr. Freed indicated her preference for joint custody in most cases on the ground that this will discourage child snatchings by the noncustodial parent and suggested that "concerned parenting is a prerequisite for successful joint custody arrangements."

Kangaroo Court Claimed...

(continued from page one)

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ABA/LSD News

by Henry Cornell

The Law Student Division (LSD) of the ABA at New York Law School urges all students to join who have not yet done so. Membership includes subscriptions to both the Student Lawyer, and the ABA Journal, and health and life insurance options, career placement, one year free in the ABA after graduation (a savings of $100), as well as other benefits. Applications may be picked up at the SBA office, C311, or contact Henry Cornell, the school representative.

In addition, ABA/LSD liaison positions are now available. These positions involve working with senior members of the Bar in specialized areas of the law. All 45 liaison positions between the LSD and the ABA, as well as five national student director positions, for the coming 1980-81 school year have been officially declared open to law school applicants.

Requirements are that you be a member of the ABA/LSD, in good academic standing with at least one full year of law school (as of Sept. 1980) remaining, and, if you are applying for the position of liaison to a section, that you be a student member of that section.

If you're interested in applying, just send your resume, cover letter, recommendations, and proof of LSD membership to: Arne C. Campbell, Staff Director, Law Student Division, American Bar Association, 1155 East 60th Street, Chicago, Illinois 60657, postmarked no later than March 1, 1980.

"abusive, small-minded, and petty," and accused him of "fondling and kissing" her when she went to see him about her Civil Procedure grade. Patricia Kallman related a similar experience.

Other witnesses described what they believed to be the school's opinion of Solomon and his wife. Steven Hochberg testified that Marshall Lippman had told him that Solomon was in big trouble, deep trouble. Stephen Goldberg claimed that Shapiro thought Suzanne Gottlieb was a "troublemaker" because she had wanted to file a sex discrimination action against the school. She feels that she was denied tenure because of that suit. She also believes that Shapiro wanted her husband out of the school, and that the dean used student complaints as an excuse to begin an investigation. Shortly after the investigation, Solomon resigned because "he could not teach in such an atmosphere."
Diapers and Briefs
By Dorothy Zeman

In the year-and-a-half that I've been at New York Law School, I've been asked a number of times how I "manage" law school, plus marriage, plus parenthood. To be perfectly honest, I'm not quite sure myself how I do it. Somehow things just...get done.

For many people, law school, all by itself, is both physically and emotionally debilitating. And, to many parents, having a small child is, as one exasperated father I know put it, like having a bowling alley in your brain. Either "job" alone is enough to make brave men (people?) cry. How can anyone handle both simultaneously?

Now it's a well-known fact that people are simply not supposed to have fun in law school—especially not in their first year. I didn't. Fun,” of course, is relative. After two years at home with a baby (getting fat on Enneumann's coffee cakes while watching soap operas all day), law school was, for me, fun. It was fun to use my brain again (for something more complicated than the TV Guide crossword puzzle.) It was fun to be with adults again, and to talk about something other than toilet training and Pampers-versus-cloth diapers.

Being a mother is wonderful (again, for me), but I need a life of my own, and so does my daughter. She's 3½ years old now, and, even at that tender age, children need to develop independence; she seems to enjoy her nursery school as much as I enjoy being here.

Law school alone would, I think, be deadly. I've noticed too many people taking it—themselves—to seriously when there's nothing else going on in their lives. On the other hand, staying home with a small child wasn't right for me. Combining the two has worked out beautifully; they balance each other out. When I've had all I can take of study or work...I can take the LSAT's and help while I've been here. He plays with our daughter and keeps her busy when I need to work, as I did for the bursar's office only to be informed that I owed an additional twenty dollars. The note also informed that as a result of his lateness, his paper would suffer a grade reduction of one-third. Tim immediately tried to get in touch with the academic status committee, but they would not see him because his tuition had yet to be paid.

Tim had sworn that he would not pay his tuition until he received his marks, but this turned out to be a bad dream. He decided to visit his mother on Long Island. As Tim descended the stairs leading to the train platform, grief overwhelmed him. He rushed down and threw himself onto the train tracks. The 8:46 to Lawrence was early and just leaving the station as Tim hit the tracks. Tim succeeded in tearing his pants and losing his shoe. Embarrassed and frenzied, he lifted himself from the tracks and hobbled back to his ninth-floor apartment. Once inside his room, he opened the window and threw himself out. Just before striking the pavement, Tim awoke in a cold sweat, and realized it was only a bad dream. He glanced at the clock. He had overslept for three-and-one-half hours. Tim got out of bed, made lunch, and began look through his old college catalog for courses in graduate studies.

There are some lessons to be learned here. Don't wait until the last minute to turn in papers. More importantly, as you notice or should notice a fray or tatter; for example, would take several minutes to replace.

By James Frankie

The alarm clock rang and Tim Burr woke numb and dazed. He would have to hurry if he was going to get that paper in on time. Professor Gerard Attucks would only be in his office from 8:30 to 9:00; his usual office hours. Glancing down at his clock, Tim saw that it was 10:05. It was a twenty-minute walk to school, but Tim could leave by 10:45 and allow himself three minutes grace. There's no sense in waiting until the last possible minute when your career as a lawyer is on the line. Tim needed an "A" on this paper. Anything less would mean his second straight 1.99 G.P.A.

Tim showered and dressed quickly; however, as he put on his shoes, he noticed a hole in one of his button-down shirts. He had overslept for nearly an hour, and had to make up time that he had lost. Tim decided to walk to school with one shoe untied. On the way to school, Tim's shoe fell off several times. He arrived at school at 11:05, only to learn that Professor Attucks had just left. A note on the door instructed Tim to leave the paper in the faculty secretary.

The note also informed Tim that as a result of his lateness, his paper would suffer a grade reduction of one-third. Tim immediately tried to get in touch with the academic status committee, but they would not see him because his tuition had yet to be paid.

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Tenure Means Never Saying Good-Bye

by Andrew J. Franklin

Once again, the peace of the dead at New York Law School is disturbed by a controversy over the granting of tenure. While the prosaic calm has not been necessarily shattered, there are at least ripples on the water of the septic tank. Professors Harbus and Erickson, both evidently popular with vociferous and outspoken elements of the student body, seem to have become the targets of a tenure re-evaluation. This column, however, has little to do with these two individuals, because the issue is the institution of tenure and not whether two more instructors ought to be granted comfortable sinecures with licenses to steal. Certainly, Professor Harbus is a pleasant man who obviously enjoys being in front of students; all I know about Professor Erickson is what I’ve read on the wall beside the urinals. And, having appeared there myself on occasion, I can state that this sort of publicity is no disqualification.

The problem is with tenure and not with the qualifications of the instructors involved. Tenure is a regulatory scheme that excludes most and protects the few, and that promotes and supports an academic hierarchy based on past achievements of often dubious and irrelevant merit. It often rewards pedantry, time serving, and orthodoxy activity. Those who support the notion of tenure claim that it enhances excellence. Perhaps a more accurate view is that tenure institutionalizes mediocrity.

A proponent of the tenure system would claim a number of advantages resulting from its use. There is, after all, a certain continuity of faculty, since those with tenure have a guaranteed livelihood for as long as they retain their association with NYLS. Those granted tenure can pursue their academic activities unconcerned with such bourgeois problems as whether their job will be there in the morning or whether a personality conflict with a superior will propel them into the ranks of the over qualified jobless. And, as is always mentioned (indeed, beaten to death), those professors with tenure will be protected from the ravages of McCarthyite witch hunters intent on rooting out dissent and communism. No matter that the rest of us who have to live in the world are unprotected. Enforce in their ivory towers in academe, these intellectual feudalists can study, pontificate, and conduct all sorts of research; they can write for journals that few ever read, hoping against hope for the ultimate sign of approval: a mention in a footnote in a judge’s opinion!

Or, as seems to be the case with several of the tenured faculty, this academic aristocracy can simply sit back and rehearse for retirement. After all, once you’ve made it, you can simply decide that teaching is, at best, an onerous chore deserving of no claim that it enhances excellence. Perhaps a more accurate view is that tenure institutionalizes mediocrity.

But what qualifies an instructor for tenure? Evidently, it is scholastic achievement as reflected in the production of law review articles (preferably in a review of a law school ranked higher than NYLS). Perhaps experience in the classroom counts for something—a digression. What better way for an individual to gain teaching experience than by becoming an adjunct first? And even though adjuncts are not necessarily retained as full-time professors nor offered tenure, they can always point to their past experience when seeking permanent employment. Unfortunately, legal lions in the courtroom are often paper tigers at the lectern. However, once hired, there seems to be no quality control over these adjuncts. The are literally left to their own devices; tenure for them? What professional academic qualifications do any of the instructors at NYLS, not only adjuncts, possess, other than the skills of the legal practitioners? This is reminiscent of another, not dissimilar, situation: after reviewing and inspecting a battalion of well-fed, incoherent in his delivery, and scores and scores of students, will continue to be subjected to this peculiar sort of education term after term after term.

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But can they teach? Once tenured, the question becomes moot. And this is where the paradox of tenure becomes most pronounced. It is such a great gift of largesse, literally irrevocable, that its bestowed becomes a huge production. For the individual involved, it’s as if God were giving him his own set of tablets. For the rendering institution, it represents a commitment of financial support for the ensuing decades. Therefore, the procedure has to be ever so exclusive and the elevations on high kept to a minimum. The dynamic of the tenure process is shaped by the understanding that a mistake is forever.

The result is that qualified instructors who should probably be given five- or ten-year renewable contracts with the school are denied tenure, and are graced and extruded from the academic environment. When success is spelt I-e-n-n-y, anything else becomes failure.

And for those who think that this is simply a case of academic politics wholly removed from the concerns of law students, I offer the following thought. As the professor stumbles in—late again—looks out through glazed eyes, and launches into a rambling monologue about nothing in particular, just remember: “Grazing tenure means never having to say good-bye.”

NLG

Affirmative Inaction

by Linda Stanch

“I do not think there is any discrimination at New York Law School.” So mused Dean Margaret Bearn in a recent SoHo Weekly News article about the Irene Leverson lawsuit. An outrageous statement for a school that, for example, has no blacks in the current mid-year class and a continuously abominable record for retention of blacks and other minorities when they are admitted.

Dean William Bruce thinks, “We have a good environment here (in terms of affirmative action) compared to other places,” as quoted in another article about the Leverson lawsuit, published in a December Washington Market Review. Sure, NYLS looks absolutely progressive in relation to a school like Cardozo, for example, that has five minority students out of a class of 900. Even the racial policies of a country like Rhodesia would appear equitable compared to a situation like that of Cardozo. The racism at other law schools is certainly no justification for the lack of a minority retention program at this school.

On January 21st, the school filed its answer to the Leverson lawsuit which charges racial discrimination against black students in the school’s admission and retention policies. Leverson, a black woman, was dismissed from NYLS on August 1, 1979 for “academic deficiency” under the school’s harsh probation policy.

Predictably, the school’s answer is in the form of a general denial of all allegations in the complaint of racism and discrimination at NYLS. The firm of Kramer, Lowenstein, Nessen, Kamin, and Soll, the same firm that represented the school in the recent Solomon trial, raised few affirmative defenses beyond a “I didn’t mean to if I did” rationalization. Federal Judge Morris E. Lasker will hear the case in U.S. District Court. Magistrate Ruth Washington, a black woman, is expected to set the trial date for early May after necessary discovery is completed.

The Irene Leverson Support committee is planning a bake sale, raffle and a disco to be held in early March to offset the large expenses of the lawsuit. Any students interested in helping with the lawsuit should contact Toni Brandmill in the Lawyers Guild office at Ext. 883.

(Editors note: the views expressed in this article are those of the National Lawyers Guild and not necessarily those of EQUITAS.)

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