11-1969

Issue No. 7 (November)
All men are mortal.
Dean Harvey is a man.
Ergo, . . .

William Burnett Harvey is probably the best thing that ever happened to this law school. His reputation, both within the legal education community and in other areas as well, is afforded the highest respect. However, contrary to the opinions of many faculty members and students, he is no God and is not beyond criticism. More particularly, The Appeal strives to "call 'em as we see 'em," and here is how we see it.

While the Dean's command of English phraseology is a wonder to behold, at times we wonder if he isn't trying to skirt the issue by
"snowing" us with words. We are reminded of the story of the judge who remarked, after reading one of Chief Justice Marshall's opinions, "Wrong, all wrong -- but no man can say where!" This was somewhat the way we felt after listening to his remarks on student participation during the panel discussion. All too often, after listening to our Dean's remarks on various topics, we are impressed with his overwhelming command of the English language, but would be hard pressed to relate to someone else just what he has said.

This "communications gap" may be partially responsible for the feeling, among many of our students, that the Dean is inaccessible to them in his second floor "ivory tower." Although we on The Appeal staff have found the contrary to be true, nevertheless there are many students who simply do not feel able to talk with him about what concerns them. While much of the blame for this feeling must fall on those students, perhaps the Dean is not beyond blame for this problem. If, for any reason, a law student wishes to talk with Dean Harvey personally, we feel that he should be granted that privilege. Moreover, if the Dean really does have an "open door policy," he and everyone concerned should help to dispell the inhibitions of those who would like to walk through that door.

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Managing Editor: Jay Larkin

News Editor: Peggy Tuke

Associate Editors: Pat Glynn and Ray Robison

Contributors: Pam Allen, Dick Boyle, Ron Chapman, Tom Kennedy, Stan Levco, Bill Pell, Tom Shriner, Greg Smith, Tom Zieg and Ira Zinman.

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We have heard much rhetoric in the halls of academe of late, from those whose sole excitement in life is "The Cause", concerning student power and the problems of higher education. Perchance we must have someone to attend all those meetings and to whom the word participation is grist for their rhetoric mills, but it is suggested that in place of this verbage, audible even in the halls of the law school, a few concrete proposals are in dire need. The following is humbly offered as one such proposal.

The single four-hour comprehensive examination in the first-year courses should be abandoned in favor of more sound methods of measuring the capability of first-year students. In place of this, a system of more frequent examinations should be instituted. It would, of course, not do to eliminate the final examination in favor of "hourly" examinations similar to those in undergraduate education, but the vast, all-encompassing importance the four-hour final now has must, in the interest of better legal education, be reduced.

Now it will be urged that students are not prepared to write an examination after only eight weeks or a semester of law school. In some rare instances where a course meets only twice per week the first semester but meets four times per week the second semester, as is the case with civil procedure now, there may be some slight validity to this argument. But even this pales to insignificance when it is observed that even during that allegedly short period the course must have covered some substantive material. If it has not, something is awry. If it has, then it must be possible to develop some sort of examination to cover that material which has thus far been covered. But, it is still urged, legal education is unique because it cannot be chopped into neat little packages, each package being self-contained. This, friends, requires the application of an extremely esoteric doctrine called the "Old Delderdash Rule". In other words, such a rationale is utter trash (as, one law professor has been known to say, are all law review articles), for under it one is led to the logical conclusion that because it is so comprehensive and non-divisible, no examination, including the bar examination, is capable of measuring the presence or absence of legal ability and knowledge. If we accept the proposition that such a result is not practical, we are reduced to discussion of the exact
point at which testing becomes practical and beneficial. It is this writer's contention that the present arrangement is both educationally dysfunctional and logically unsupportable.

Secondly, it is argued by some that a lawyer must be prepared to work under pressure, and the four-hour examination fulfills the function of providing a simulated real-life, "pressure" situation in which the student must solve the problems presented much as a lawyer does in real life. Certainly it must be admitted that lawyers must work under pressure, but seldom does a lawyer approach any such fact situation without having spent several hours researching the issues. The hours spent in class and studying out of class may, for the student, be comparable, but it should be noted that the lawyer who researches a problem has not only that recent knowledge upon which to draw but also his years of experience and education. So actually the analogy does not hold true.

Third, some argue that examination offered earlier than the end of nine months would penalize the "late-bloomers" in the class. This argument is consistent with, and is usually offered by those who believe in, the "light-bulb", or revelation, theory. (Note: This theory is often termed the jigsaw puzzle theorem by cynical upper-classmen, but, because most freshmen usually deny that there are any pieces of the puzzle to fall into place, it is best to confine the discussion to the terms used previously.) The "lightbulb" school believes that although the first-year law student may be completely confused during the majority of the school year, suddenly, sometime in March or April, everything will fall into place, and lo, they will see Ultimate Reality. The truth is that no such revelation occurs. You can wander in the library for months and not see a legal vision. Au contraire, the present dydyrm punishes those who are truly interested in law by removing any indice of progress and postponing the ultimate judgment until the end of nine months. In effect, it punishes the "early-bloomers". Offering more frequent exams would not only reward those whose diligence and enthusiasm at the beginning of the year has proved profitable, but it would point out to others where their failings lie and indicate directions for future efforts. Increased frequency of examination would thus serve a two-fold psychological purpose: (1) Encouragement and reassurance to those who are doing well; and (2) warning to those who are doing poorly, without that warning coming so late that the year is irretrievably lost. It is just as easy to lose your way if you do not know that you are on the right path as it is if you do not know where you are going.

Fourth, some argue that the demands imposed on the time of professors preclude more examinations. This is true if you envision more frequent exams of a four-hour duration, but not if these exams are shorter. With less material to cover per examination there should be no need that they be four hours long. Why not have two two-hour examinations instead of one four-hour examination? Such an arrangement should pose no undue hardship on professors.

Lastly, in the place which all such arguments deserve, is the plea that such examinations are traditional in law schools. It is incredible that the same professors who tell us that the custom of an entire industry may be negligent, can hang their hats on this little peg. Is it possible that the entire legal education system is fouled up? Must I.U. copy all the "Big Boys" in the East? Surely we can innovate, try something new, and experiment. Surely we are not so hide-bound by legal cobwebs and educational myths that we have lost our initiative. Tradition supported by reason and logic is valuable.
Tradition for the sake of tradition alone is a hollow thing indeed.

This article has attempted to point out the weakness of the position of those who dismiss the concept of more frequent examinations. In doing so, the writer has taken some firm positions which, no doubt, many will just as firmly oppose. Hopefully the stimulus thus provided will result in discussion leading to some more equitable, more sound, and more workable arrangement. If examinations are to test the ability of prospective lawyers, surely more frequent examinations will give a better picture of that ability. How many talented potential lawyers are lost to the profession merely because they were given no sense of direction or feeling of accomplishment during their first year of law school? Can it be said that the one-examination system successfully performs its alleged function of weeding-out those who are not competent? This is doubtful. In short, it is just possible that we are dealing with another legal fiction, and that there is no adequate justification that can be given for the present examination system.

HAPPY HOUR V. KEEP OFF THE GRASS

by Tom Kennedy

Interested in having a beer? How would you like to vote in an election? Would you like to go to a social gathering attended by fellow law students? Do you enjoy being a candidate for office? Are you a joiner? Do you like to join organizations just to be joining organizations? If the answer to any of the above questions is "yes," I have the perfect organization for you. For the piddlin sum of only $3.50 per year, you too can be a member of the Student Bar Association.

Unimportant matters which concern law students, such as the availability or unavailability of parking spaces, are of no concern to the S.B.A. For the past year this problem has been alleviated considerably by the use of the Catholic-Center parking lot. Father James Higgins has graciously consented to allow this lot to be used, in effect, as a law school student parking lot. The problem is that the demand for student parking spaces still exceeds the supply. Students, being the considerate, well-mannered people they are, have taken to parking on the yards surrounding the lot. Being rather narrow-minded, Father Higgins has taken unappreciative note of these cars parked on his grass and has threatened to close the entire lot if nothing is done to correct the situation.

When this happy state of affairs was brought to the attention of the S.B.A., Paul Black, President of this fine organization, stated that, though he recognized the problem, it was not one of concern to the S.B.A. No answer was given to the querry as to what exactly does concern the S.B.A. -- evidently nothing more than the current price of beer. The time, effort and money required to be expended in order to post a few "Keep off the grass - by order of God" signs was too much for the S.B.A. to even consider. Perhaps the S.B.A. can be persuaded to mimeograph maps directing law students to the law school once they are securely parked in the stadium parking lot.
INDIANA LAW JOURNAL BEGINS ANOTHER YEAR

by Ray Robison

Oct. 18, 1936, had a special significance for the members of the Indiana Law Journal, for that date marked the first deadline of the new academic year. The editors had no more time to check cites, edit articles, or require yet another draft of a student note. On that date, all the materials for the FALL issue had to be in the printer’s hands.

The Editorial Board of the Journal also announced the names of the twenty-five juniors who were elected to final membership in the Journal on this date. Forty-one candidates for membership had earlier been selected on the basis of their freshman year. Final membership was awarded on the basis of willingness to work, the ability to analyze legal problems, and the ability to write. Each junior candidate was required to submit a paper on a specific legal problem. One of the rewards for those elected to membership is possible publication of their articles in the student note section of the Journal.

In the spring, the present Editorial Board will choose a new Board for next year from the present staff of junior writers. While there is no mechanical test for selection to the Editorial Board, the major factors considered include quality of published materials, willingness to work, and ability to work with others. Although a consensus of the Board is necessary for selection, few Board meetings are devoted exclusively to consideration of Board candidates. The final selection process is thus rather informal, and the deliberations of the Board are always kept in strict secrecy.

The Editorial Board has a great deal of responsibility in meeting deadlines, insuring quality of published materials, and choosing future Journal members, and the faculty has little involvement concerning their daily operations. For advice on major problems the Board can always turn to the Faculty Advisor, Mr. Birmingham, but the faculty desires that the Journal be a student-run organization and encourages that end. Faculty members may read and comment on proposed articles, but the student editors have the final word on publication.

The Indiana Law Journal has thus begun another year with the passage of the first of four issue printing deadlines. The names of those who will labor for this year’s Journal are listed below.

Editor-in-Chief: John Mitchell
This Fall Phi Delta Phi instituted, with great expectations, a "program" of weekly meetings convening every Friday at Nick's Olde English Hut. The meeting time is 3:00 P.M. and after. Fred Stewart, the manager at Nick's, has kindly cooperated with the concept by providing reserved tables in the back room for our use and enjoyment.

At this point six weekly parties have been held, and the average attendance has been highly satisfactory. One and all are invited to attend future meetings. We have received only a modicum of representation from the faculty, and hope that this factor in the success of the program will be increased.

After the second weekly meeting, Phi Alpha Delta was invited to be a co-conspirator in the presentation of the weekly meetings. Thus, although the parties are sponsored by both fraternities, they are open to members and nonmembers alike.

It is fervently hoped by the co-sponsors that these "meetings" will continue to be successful, and that as many as possible of our hard-working students and faculty will find time to attend regularly. The staff of The Appeal strongly encourages participation in this law school function, and thanks our fraternities for their sponsorship of this truly enjoyable segment of law school life.
PAINT DISCUSSION HELD ON STUDENT PARTICIPATION

On Oct. 1 a panel discussion was held to discuss the topic "Are Students Outsiders in the Law School." Participating in the discussion were Dean Harvey, Professor Pratter, Martin Levy, and Milton Stewart. Dean Poskoff moderated the discussion.

Dean Harvey and Professor Pratter helped to crystallize some of the questions concerning student participation in law school administration. Mr. Levy urged a viable means of student participation in such administrative decisions as course scheduling and teaching methods. Mr. Stewart cited a need for student involvement and called for a discussion of how to implement student participation in administrative decision-making.

A general discussion by the attending students and panel members followed the formal talks. This discussion illustrated the wide variety of student opinion as to the means and degree of student participation desirable.

DEAN HARVEY THE ABA AWARD

Dean Harvey was notified on October 1 that he is to be the recipient of the Judge Edward R. Finch Law Day U.S.A. Speech Award. This award is for a speech delivered by Dean Harvey before the Knox County Bar Association at Vincennes, Indiana. In commenting on the speech, William Gossett, Chairman of the Law Day Speech Awards Committee, said your address, entitled 'The University, the Community and the Law' was thoughtful, timely and inspiring." Dean Harvey's speech was chosen over more than fifty entries submitted to the ABA. He will receive the award at a luncheon for new admittees to the Indiana Bar, scheduled for November 19.

TEACHING ASSOCIATES

by Tom Shriner

The three teaching associates this year come from a diversity of backgrounds. All graduated from their respective law schools last June.

Carl Axelrod teaches the Property tutorial under Mr. Tarlock. He studied law at Boston College after doing undergraduate work in psychology at Union College.

Kenneth Germain majored as an undergraduate in sociology at Rutgers. He attended New York University Law School and is teaching the tutorial in Contracts with Dean Harvey.
Teaching the Procedure tutorial is Tim Martin. He majored in English at Northwestern University and graduated from the University of Michigan Law School.

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NEwSPAPERS AND MAGAZINES IN STUDENT LOUNGE

The library has purchased and installed a newspaper rack in the student lounge. Newspapers available are the Courier Journal Daily Student, Indianapolis Star, New York Times, Spectator, and Wall Street Journal. In addition many magazines and other publications are available in the lounge.

Our librarian said that the newspapers and magazines are placed in the student lounge in order to encourage use of that facility. Many of the students have been using the library as a lounge, and the actual student lounge is sparingly used. Hopefully, with the availability of these publications, more use will be made of our student lounge, and our library will be used for the purposes for which it was intended.

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SYMPOSIUM HELD DURING VIET NAM MORATORIUM

A symposium was held on Oct. 15 to discuss the Viet Nam war. This was in conjunction with the nation-wide moratorium on this subject. Members of the symposium panel were Professor Faude, Professor Getman, Professor Pratter, Professor Fatouros, Mr. Silver, Mr. Warren, and Mr. Boyle. The topics discussed ranged from what war-connected cases might be justiciable to what means might best be employed to end the war. The war-related topics of the makeup of our military forces and the effects of the war on domestic affairs were also considered and discussed.

The format of the symposium intermeshed talks by the panel members with discussion by the students and faculty members in attendance. There was no disagreement about the present undesirability of the war, but there were many varied proposals on how best to extricate ourselves from the situation.

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ANNUAL PETTIFOGGERS BANQUET

This year’s annual pettifogger’s banquet will be held on December 6. This annual occasion, begun by last year’s freshman class, includes a sumptuous meal, speeches by professors and students, and good times
generally for everyone. Anyone interested may attend, but the guest list is limited to approximately 25 persons. It will be first come, first served, so if you wish to attend you should sign your name on the announcement on the library bulletin board.

The speaker at this year's banquet will be Professor Pratter. Prosecutor Tom Perry and other faculty members will be honored guests. There will also be student speakers to entertain the guests.

The charge for the banquet is $7.00. This must be paid before November 25 to Brit Richards or Greg Smith.

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**BAIL BOND PROJECT STUDIED**

The Student Bar Association has been asked by Professor Schornhorst to investigate the possibility of establishing a Bail Bond Program. This program would be completely operated by law students, and would provide assistance to prisoners in local jails in obtaining bail.

Similar projects have been established at other law schools and have met with considerable success. Law students assist prisoners in establishing references and credit ratings, and advise local court officials as to their findings. Courts are then able to make a better informed decision in setting bail.

The major hurdle in establishing such a program is the recruitment of enough students with the time and desire to run the program. Any interested students should contact their S.B.A. class representatives as soon as possible.
Dear Mr. Streib:

I was pleased to see the issue of The Appeal last week. I share your view that it is capable of developing for itself a very useful role in the School and I wish you and your associates on the staff every success.

Since you have urged that faculty and students take an active interest in the publication and provide assistance to it, I would like to comment briefly on several aspects of the most recent issue.

In the box on page 1 you summarize "The Fall class scheduling SNAFU". Perhaps it would be of interest to you and your readers to know more of the facts surrounding the scheduling changes you have listed. The courses in Constitutional Law (B634) and International Law (B665) were divided in order to implement the policy of the School to provide insofar as possible increased opportunities for instruction in smaller groups. Admittedly a class of 60 does not clearly qualify as a small group though there should be little dispute of the proposition that it is smaller than a class of 120. It is worth noting that International Law was divided despite the fact that doing so involved the voluntary acceptance by Professor Fatouros of a teaching overload this semester. It is also worth noting that it is not always possible to identify pressure points until registration is completed. Therefore remedial action is not possible until that time.

The Clinic in Poverty Law (B690), the Seminar in Law and Development (B750), the Seminar in Comparative Law (B770) and the Seminar in Welfare Law (B765) were cancelled because of a lack of student response. In some instances the interest of the one or two students who registered for the offering could be accommodated through an independent research project. In all instances, however, it bears emphasis that the cancellation was the consequence of student choices.

You may want to re-examine your view that these alterations in the Fall semester schedule are the result of a "scheduling SNAFU".

I found the letter from the current second year class to the first year students interesting, sometimes informative, and on occasion amusing. I would like to point out some minor inaccuracies in it however. First, I never served as either the or an assistant dean of the University of Michigan Law School. Second, I was not aware that at the time I left Michigan the school was going through "a severe money crunch". I was especially surprised by the assertion in the letter that "Michigan's Law School was practically raped by every other law school in the country and some of their best talent left". Over the past several years five members of the Michigan law faculty left to accept appointments in other law schools. In each case the faculty member had been appointed dean of the school he was joining. In one of these
cases the man later resigned his deanship and returned to Michigan. I offer these corrections, not because of their intrinsic importance, but only to suggest the value of factual accuracy even in small matters to both journalists and lawyers.

Your stated enrollment in the School for the Fall semester is somewhat low. Current figures indicate that the maximum enrollment reached was 410. There have been one or two withdrawals because of draft calls. In addition to the military service, it also seems clear that the fee increase affected the enrollment of a significant number of students.

Finally, I would raise a question concerning the value of the materials on page 6 and pages 8 - 10 of The Appeal. While I would not suggest that humor has no place in a law student newspaper, I remain doubtful that it justifies a commitment of 40 percent of your pages. Ultimately this presents a judgment question however.

With all good wishes,

Sincerely,

William B. Harvey, Dean

[Ed. Note: We thank the Dean for his interest in and support of our journalistic efforts.]

THE NOBLE EXPERIMENT

by Dick Boyle

The accompanying letter was sent to and published in the Montgomery (Alabama) Advertiser during March, 1969. It was run exactly as presented here, and it was intended to be something of a "noble experiment." As an experiment, noble or otherwise, it failed miserably. But, it turned out to be rather instructive concerning the sport of "Letters to the Editor" at this stage of the 20th century.

The Advertiser had been running a series of expose articles on the INTERNATIONAL COMMUNIST CONSPIRACY for several weeks, and had received nothing but favorable mail. The series was so incredibly biased and so paranoid in its conspiratorial dogmatism that it became my personal hairshirt as I forced myself each day to read the increasingly alarming revelations. This sort of extremist expose goes over big in the South, but its usually confined to the standard Klan hate-sheets which continue to spout their combination "International - Jewish - Commie - Banker - Catholic - Liberal - long haired, beared hippy - Northern - Federal Government" brand of conspiracy. A relatively small number, I suppose, really take that crap seriously, but the particular series in question was clothed in the robes of quasi-respectability by virtue of having appeared in a reputable daily newspaper. (I thought the paper was a good deal more reputable until I
discovered that their vocal opposition to George Wallace was based on the Republican publisher's conviction that Wallace was too liberal for Alabama.

It came to me that an appropriate response would be to write a "right-wing nut" letter to the editor highly complimentary of the series in an attempt to smoke out some rational response to my diatribe. I carefully stitched together an enviable string of right-wing cliches and included a new issue of my own in an attempt to make the letter so outrageously irrational that no fair-minded person of average sense and intelligence could fail to be offended by its potent stupidity.

The letter was published without question or verification and drew not a single response in rebuttal from the public whose intelligence I had hoped to offend. I did get a most flattering six page fan letter personally from a nice, 70-year-old lady (in tennis shoes?) who complimented me highly on my right thinking and brave defense of secency and American (i.e., white Christian...preferably Southern Baptist) way of life.

There's a moral here somewhere; as I was saying just the other day to my fellow letter writers Johnny Stancombe and Hugh S. Ramsey...

[Ed. Note: Following is Mr. Boyle's letter to the Montgomery Advertiser.]

Dear Sir:

I feel I must write to thank those responsible for the series of six brilliant expose articles on the Communist menace which recently concluded in your paper. Although I have never heard of the author, Mr. Betts or the Copley News Service, I feel that we owe them a debt of profound gratitude for opening our eyes and so intelligently analyzing the methods of the Reds and liberals in our midst. Your paper is surely performing a public service by printing this sort of unbiased, in-depth reporting by Mr. Betts. He is certainly doing God's work and you are to be commended for your courage in running the series for, as you know, there are many un-Christian, left-wing, liberal, socialist, "outside" influences here in our own area.

My wife and I attended a showing of Romeo and Juliet at a local theater recently and were shocked to see portrayed on the screen the teen-aged lovers in bed together in the nude. The left-wing producers of this filth were even brazen enough to display the young boy completely naked before a non-restricted audience! If I had not been carefully following Mr. Betts outstanding series, I would never have realized the obvious communist influence behind this which has resulted in the total moral decay of our republic. Mr. Betts concluding article explains in detail how the "Reds turn youths thoughts to sex" to undermine our moral code and engineer a flood of un-American, Godless perversion on our movie screens and in our magazines. I had no idea these commies and liberals were so insidiously clever. The vast majority of the movie audience were teenagers who are certainly not mature enough to be exposed to the nude lovemaking of a reckless pair of adolescent "puppy-lovers" whose families were both opposed to the match. This sort of thing, masked in a cloak of romanticism, is undermining the authority of the parent and the moral foundation of our great republic. How clever these communists are to purvey this noxious propaganda in a supposedly "acceptable" piece of trash by Mr. Shakespeare who was, of course, one of the leading left-wing liberals of his day and most likely a homosexual.
WHAT THE COMMERCE CLAUSE MEANS TO ME: OR, WHAT I DID LAST SUMMER --

by Jay Robert Larlin

(Little Ricky) SWENSON v. POPPER of Pop-Corn Popped at the Globe Theater of Phoenix, et al.

39 S. Ct. 7961 (1969)

Mr. Justice QUACK delivered the opinion of the Court, and respectfully dissents from his own opinion.

Petitioner, Little Ricky Swenson, brought this action through his guardian, to enjoin the respondent from denying him admission to a movie, "Me Curious, You Yellow?", described in the District Court as "feeeelthy." This Court needn't decide, but does, that after having taken judicial notice of said movie -- we loved it (twice). We therefore hold the District Court's ruling "clearly erroneous," "puritanical," and "lily-delivered." But this is not in issue here, obviously, as the movie was not being shown at the time Little Ricky was denied admittance; so, the respondent doesn't fall within the "entertainment" described in section 201 (c) 3 of Title II of the Civil Rights Act of 1954; neither does he fall within the classification set forth in Webster's Third Collegiate Dictionary....... in short, we simply wanted to view the movie.

Er, to the case at hand (bar). Petitioner alleges he was denied entrance to the theater on "childish grounds;" we take this to mean because he is, in fact, a child. (37 citations omitted).

The respondent asserts (gruffly) that if Little Ricky is afforded protection such as this (i.e., allowed to enter the theater while a pornographic movie is not being shown; nor, for that matter, when no movie is not being shown) that:

(1) his rights are being violated under the 5th Amendment by all the "Little Ricky Swenson's" in Phoenix, and elsewhere,
(2) that such legislation exceeds Congressional power under the Commerce Clause (Art. 1, 53), and
(3) that such allowance constitutes "involuntary servitude" under the 13th Amendment.

We find that the respondent is not only erroneously mistaken (real wrong) but most likely "nuts." We further find that all his claims, and all the claims of all such theatre owners, pop-corn poppers, and the like, are frivolous, for the following reasons:
The Commerce Clause as it Relates to the Globe's Snack-Bar

(1) The Pop-Corn Question: The Amicus Curiae Brief furnished this court by an anonymous farmer in Kansas informs us that he raises corn, and that for all he knows, some of Popper's corn might well be his. Nuff said.

(2) The "Phoenix Pride Soft-Drink" Question: Although it is true, as respondent alleges, that "Phoenix Pride" tuity-fruity soft-drink is manufactured, bottled, capped, sold, and drunk solely in Phoenix, the Court found that it was full of little bubbles -- and God only knows where the bubbles came from. GOD is truly INTERSTATE.

(3) The pencil found in Popper's pocket had an eraser, made of natural rubber, PROBABLY (as a fact) grown in Argentina -- changing Popper's "social complexion" from local hick Arizonian, to "international pop-corn popper."

(4) The Court proffers no opinion as to either the rain that was falling that afternoon, or the (rather seamy) bathroom facilities argument of the petitioner, but refers him to Continental Can v. U.S. (1 Wheat. 777).

(5) The Relation Back Argument: If no other cogent argument be found, this one's the clincher -- proving that Popper "affected interstate commerce."

Little Ricky has an aunt in Hoboken, New Jersey. Popper has a brother in Des Moines.

Affirmed, and Remanded.

Mr. Justice SMUGLESS, dissenting: (and citing no cases)

I've never liked pop-corn, as does the (sic) majority, but, by God, if Popper don't wanna sell to Little Ricky, whether or not there is a movie being shown, I'd honor that wish. Why, if he wanted to grow LIMA BEANS in that theater, as long as he was real careful not to obstruct commerce, I'd..................

What was the question?

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Placement Personified

by Ira Zinman

The firm of Cranch, Peters and Wheaton will be interviewing at I.U. School of Law on November 16, 1969. Our firm is looking for top-flight young men with the following qualifications:

(1) he must have a grade-point average and class standing;
(2) he must possess the skill to make up a will and sign it within 48 hours after the demise of the widow-client's husband;

(3) he must be able to consume extra dry martinis while playing golf in 90 degree summer heat (at the club);

(4) he must own 6 dark blue suits, 3 black ties, 2 dozen white shirts, one pastel blue shirt for the office Christmas party and, of course, have a pair of black, wing-tip loafers.

(5) Because our firm hires without regard to race, color, religion or creed, we stipulate only one requirement -- that our interviewee have family relations who lived below the Mason-Dixon line before 1865 and owned a plantation.

Now, a little about us -- our firm of Cranch, Peters and Wheaton was established in 1789, and we have presented more Supreme Court cases than any other firm. There are six partners: Mr. Willoby Wheaton IV; his brother, Upton; two sons; one nephew; and a son-in-law, Winston, Jr.

The two sons, Reginald and Claude, run our Paris office in the springtime. The nephew Butch, a former high school and college athlete and all-around "jock," is in charge of collections from deadbeat clients. Winston, Jr., is the partner-at-large, and alternately heads offices in Acapulco, San Juan, St. Moritz, London and New York.

We appear to be a large firm with six partners and 73 associates. We are really not, however, one of those large, bureaucratic firms where you are overcome by impersonality and coldness. In fact from the very first day you are encouraged to call everyone by their first number.

The future with CP&W is an unlimited opportunity for an enterprising young man who does what he is told and smiles constantly in front of clients. Please send resumes to:

Cranch, Peters and Wheaton
1 West Farthington Alley
Sweet Arms Apartments (overlooking the Bay)
White Sands, New Mexico

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ONE JUNIOR'S OBSERVATIONS

by Vic Streib

Faculty: Now Hear This!

As the bell rang at 3:30 A.M. one morning during the second week of classes, Professor Gordon told his Antitrust class that if he could get to class on time, he thought that the students could do the same.
then threatened to intellectually "attack" any late student, and perhaps
eclude him from class. Since that pious tirade, he has been late to every
class but two. Whatever you say, Jim, whatever you say.

Overheard in Thorpe's Evidence class:
---first student: "Do we have a guest speaker today?"
---second student: "Yes, his name is Phil Thorpe."
---first student: "I said 'guest speaker,' not 'mystery speaker'!!"

Money-making proposition: Use our new video-tape equipment to tape some
of Happy Harry Pratter's lectures, and sell them to local theatres to
show in lieu of cartoons.

In his recent "Charge to the Faculty" Speech, I.U. President Sutton
asked that, when considering faculty members for promotion, more critical
evaluation of teaching ability along with research ability be utilized.
We hope our law school administrators take heed.

In last summer's Family Law class, Professor Hopson was explaining
condonation as a defense to divorce action. Deafening Dan said that
"sexual intercourse alone is not sufficient to prove condonation." After
three months of deliberation and research, I still can't figure out what
"sexual intercourse alone" could possibly be. If anyone knows the answer
to this puzzle, please contact me at 332-6592, after midnight.

Our student bod's:

Freshman: "What does 'unlawful' mean?"
Senior: "'Unlawful' means against the law."
Freshman: "Then what does 'illegal' mean?"
Senior: "A sick bird."

Upon emerging from a job interview, Dick Manning was heard to mutter:
"The guy had some weird thoughts, but at least he was thinking!"

Page 2 of my Evidence book says "A contested lawsuit is society's last
line of defense in the indispensable effort to secure the peaceful settlement
of social conflicts." One cynical senior asked if this was our jurisprudential
Maginot line. Well!

"A fanatic is one who redoubles his efforts when he has forgotten his
ends." --Ever noticed how many of us do that?

Dear Spiro:

We wish to acknowledge your telegram concerning our last issue of
The Appeal. We wanted to publish it in our Letters to the Editor section,
but our staff ("an effete corps of impudent snobs, hardcore dissidents,
and professional anarchists, who characterize themselves as intellectuals")
couldn't correct your obscene and mis-spelled words without leaving only
"Dear Vic" and "Love, Spiro."
"...nor deny to any person within its jurisdiction the equal protection of the laws."