Editorial

"I may not agree with what you say, but I'll defend to my death my right to punish you at finals . . . ."

_—Voltaire??_

by Jay Robert Larkin

For The Staff

Our last edition evoked much critical comment, mostly favorable. That some of it was (perhaps astutely) unfavorable, witness the letters herein. That all of it, with but one small exception, was responsible, gladdens our dingy academic lives. The single "blemish" was professorial in nature and we dismiss it as
ill-advised and intemperate. It sounded far more like the ravings of a high school gym teacher than the (usually reasoned) appeals of law professors. The Appeal is thankful for the cooperation we have always received from the administration of the school, and report that we have never been required to account for our literary achievements and/or misachievements—no matter how sharp our barbs.

We are no more than a group of "interested" law students—interested in "The Law," our school and its staff, AMERICA; the list is endless. Our literary "complexion" is ruddied by a few bleeding-hearts, muddied by several Limousine Liberals, and enhanced by at least one Cadillac Conservative, with several Friends of Buckley. The Appeal is not one man's personal diatribe, and never has been. We do not even search-out "muck" to "rake"; rather, the sacred cows always seem to search us out for the slaughter.

We ask repeatedly for joiners—talented or not, and seek to remain either bi- (or non-) partisan. Within our last two issues one will find both support and denunciation for Spiro Agnew. Can we possibly be more open-minded?

So join us. And be assured that you will never be intimidated—only passionately debated.

We also fight who only sit and write.

(Ed. Note: Future editorials will be unsigned. The Staff will be "jointly and severally liable" for content. A unanimous vote necessary for publication. No further warranties express or implied.)

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ISSUE: Is there such a thing as "A Gnew Nixon"?

In TRB's New Republic (left-wing, commie, pinko rag—of course hardly better than the Washington Post or The Appeal) column of Nov. 22, the following letter to the St. Louis Post Dispatch (ditto on commie—pinko slant) was quoted:

When the vocal minority advocated the belief that the earth was round instead of flat, who supported the viewpoint of a flat earth? The Silent Majority. When the vocal minority proposed that the sun, and not the earth, was at the center of our solar system, who offered death or imprisonment to those who held this view? The Silent Majority. When the German Reich systematically murdered six million Jews, what group of German people gave silent support to their government? The Silent Majority.

Sandy (Spiro) has finally been unleashed and is faithfully barking "arf" at that "effete corps of impudent scrubs" which seems to expand daily in scope. Today the long-hairs, the networks, the newspapers (but only those with critical editorial policies—of course mustn't embarrass the Chicago Tribune or the Indianapolis Star), tomorrow the (non-conservative) world!

It was appropriate that Mr. Agnew should deliver his N.Y. Times—Washington Post blast from Montgomery, Alabama, pretty risky to the Chamber of Commerce (pretty radical group) in an area which has been almost totally conditioned by the remarkably similar speeches of George Wallace. Having listened to Mr. Wallace launch his folksy broadside at the entire communications media (specifically including Huntley-Brinkley, Cronkite, N.Y. Times, Washington Post) for the past three years, I am beginning to doubt that Wallace will have any constituency left by 1972. Agnew is using Wallace's favorite material with considerably more effect because of the stature of his office. It was possible to shrug off Wallace's 12% and still retain faith in the intelligence of the average American voter. With the present majority support, however, for Mr. Agnew's intentional polarization (we "good guys" v. them "unpatriotic, critical anarchists") and Mr. Nixon's rewriting of history regarding the origins of the Vietnamese War, one's faith in the perception of the Silent Majority begins to dwindle.

My "rewriting of history" comment perhaps deserves further elaboration. At one point in Mr. Nixon's major Vietnam address of a month ago, he alluded to "the origin of this war," saying in general that N. Vietnam and Red China decided to gang up on their neighbor to the south who subsequently asked for our assistance in their fight for freedom, self-determination, etc. Even President Eisenhower
(hardly a dove) would've gagged on that line, but to the Silent Majority it went down smooth as honey. Is there a man alive who's ever read a book who still believes that interpretation? This particular point, so casually glossed over by the President, is crucial in that it speaks directly to the issue of our ethical and moral justification in refusing to support the Geneva accords, the proposed elections in 1956, and our subsequent intervention in force—all in the name of anti-communism (knee-jerk reaction) and self-determination (for the Diem government which we hand-picked and installed for the specific purpose of keeping Vietnam from being united under Ho Chi Minh in 1956.)

For a dispassionate critique of the "origin" issue, see Falk, "International Law and the United States Role in the Viet Nam War," 75 Yale L.J. 1122, excerpted on pages 996-1000 of the Friedman International Law text. Professor Falk's article disposes of the "SEATO commitment" argument and agrees with President Eisenhower's last book in stating, "The real objection to the elections was a simple one—namely, the assurance that Ho Chi Minh would win."

Now I realize that Herbert J. Muller, internationally known chemist and cursed with the labels of academic and intellectual, is highly suspect of not being a member of the Silent Majority, but he had a letter in the Bloomington paper (the less reactionary one) on Nov. 20. In this letter he discussed the "origin" question in much the same terms as Professor Falk and took Mr. Nixon to task for being less than candid with his audience (no more bullshit, please). He continued, "In short, either President Nixon is remarkably uninformed about the war, or he was lying to the American people. Either way, he could count on the support of the 'great silent majority' because most of them have only the foggiest notions about how or why we got so deeply involved in this disastrous war. But as a politician he has forfeited any right to expect public support of his policy, or to resent public criticism of it . . . . Now the President would no doubt like to get us out of an unpopular war, if only for political reasons. But I see no reason to take on faith either his wisdom or his honesty."

The point concerning the honesty of the administration (any administration) is vital because it speaks to the validity of Mr. Agnew's comments about the TV networks and the "liberal" press (he has no complaint with the conservative, i.e., patriotic, press). As an active duty Air Force officer for the past 12 years, I had ample opportunity to assess the relative honesty of the networks and the official administration "line" concerning issues whereof I knew the facts. As a result, although it is a sad indictment of our government's integrity and "ethical sensitivity," my experience has led me to place considerably more confidence in the watchdogs of the press and the TV than in the bland platitudes and distortions of official government spokesmen. In Russia, with a state-controlled press, the question could not arise. I would hate to envision a subservient press and TV for the sake of an illusion of unity.

An illustration of the administration's "honesty" concerns the "withdrawal" rate of our troops from Vietnam. We have all read stories of 10, 15, and 20,000 man withdrawals over the last 18 months or so. What is not so well-publicized are the replacement figures. We had 510,000 men in Vietnam at the end of February, 1968, when the Tet offensive led to Johnson's agonizing shift of policy. The official figure, as of Oct. 2, 1969, was 509,600. That is a net drop of 400 men over 19 months! (Atlantic Monthly, Oct. 1969). In I.F. Stone's Weekly of Oct. 20, 1969, the figures are given for a six week period from Aug. 31 to Oct. 2 of this year when supposedly our withdrawals of thousands were being effected. There was a net withdrawal during this period of 200 men. Stone observes, "At this rate, we would withdraw 1,732 men every 12 months and be out of Vietnam in 564 years."
Several polls have indicated majority support for the way Mr. Agnew has been speaking out during his "unleashed" period of the past month or so. In an attempt to determine whether this generally favorable reaction to Mr. Agnew was valid for I.U. Law School, I conducted a poll of students and faculty over the period of a week in my spare time. The poll was certainly not scientific and may not prove or disprove anything, so I don't give it much emphasis. I did get nearly 1/3 of the student body and some faculty to register their opinions of Mr. Agnew, and the results were overwhelmingly opposed; however, several of the potential supporters of Mr. Agnew refused to participate but I make no comment on their reasons. There were 108 law students and faculty who were willing to select one of the following options:

(a) I generally support Mr. Agnew 11
(b) I strongly support Mr. Agnew 3
(c) I generally oppose Mr. Agnew 20
(d) I strongly oppose Mr. Agnew 74

These options were explained in terms of a "general positive or negative 'gut reaction!'," not in terms of any specific issue, and I readily admit the scientific invalidity; still, the I.U. Law School is hardly a hotbed of radicalism. It is traditionally thought of in terms of rather conservative banker's grey.

In addition to the 108 who signed their names, there were 27 who refused to participate for various reasons--generally one or more of the following:

--Not interested.
--I don't know anything about it.
--What good will it do?
--I don't sign anything.
--I couldn't care less.
--Too busy learning to "think like a lawyer."
--Tutorial's got me snowed under.
--I have no 'gut reaction.'
--You'll just manipulate the statistics anyway.
--I don't trust anybody with a beard.
--Your motives are suspect.
--That's stupid.
--My opinion doesn't fit any of those categories.
--You're just trying to feed your ego.
--You liberals can dish it out but you can't take it.
--I'm against him but I won't say so on paper.

If we ignore the 27 non-signers, 87% of the sample group were either generally or strongly opposed to the direction in which Mr. Agnew has been proceeding since he has started speaking out strongly. If we add the 27 to the "support" group, this figure drops to 70%--probably a more accurate reflection of the student body but still an impressive majority compared to the impression of favorable support for Mr. Agnew throughout the country. I suppose many of the opposition votes to Mr. Agnew can be explained away by saying it's fashionable for intellectual snobs to put down Agnew for anything he says. If it makes you feel better to rationalize away the opposition with platitudes, feel free, but I wonder if this country can stand a reawakening and intensification of the anti-intellectual fervor that we knew in the McCarthy era and recently applied during the Wallace campaigns. Is it a healthy polarization when Mr. Agnew attempts to equate opposition to administration policy with lack of patriotism? Or is it time to redefine PATRIOTISM?

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We're behind you all the way, Spiro.

The following is a letter sent by a second-year law student to the President of one of the television networks. It was in response to his comments on Spiro's speech critical of TV news broadcasting.

Dear Sir:

After hearing both Vice President Agnew's speech last night, and your comments this evening, I can only conclude that the Vice President is entirely right, and you are entirely wrong.

First, you distorted his remarks. He did not suggest government censorship, as you implied. He explicitly opposed it: he did call for networks to act in a more responsible manner, something Huntley and Brinkley seem incapable of doing.

You stated that television reports the news from all philosophical and political viewpoints. This is an outright lie, and you know it. There is not a single well known, national commentator, on any of the major networks who supports either U.S. policy in Viet Nam or President Nixon. Neither Huntley or Brinkley, or Walter Cronkite, or Frank McGee, or Frank Reynolds is a Republican, let alone a supporter of a generally conservative political philosophy. All of them were violently opposed to Barry Goldwater. All of them are blatantly in favor of John Lindsay. None supported Mayor Daley or the Police. All were openly siding with the Yippies, during the Democratic Convention. None of them supported Hubert Humphrey until after the convention, when all of them opposed President Nixon. Your claim of impartiality can not be supported on any count.

You charged that the Vice President was using the threat of government regulation, via the FCC, to coerce the networks. I am in law school Mr. Goodman; I was a Political Science major at City College. I know what an ineffective, toothless body the Federal Communications Commission is. It no more regulates television than you can Johnny Carson.

On any given evening I usually see both the ABC News and Huntley-Brinkley, or them and Walter Cronkite. On most evenings its like seeing the same news broadcast over again. The stories are identical, and so is the editorial emphasis. When film coverage is given, it invariably is the same film clip, on all three networks. Only the narrator changes. Can't you and your colleagues up the street get different interviews on the same topic? Or does every subject have only one spokesman, one point of view?

The only point on which I disagree with Mr. Agnew was in his assertion that the major news magazines provide an alternative to each other, in a way the television networks do not.

Time and Newsweek are carbon copies of each other. Their editorial viewpoints are nearly identical. Their specialty departments—sports, religion, drama, medicine, etc.—usually cover the same story, from the same point of view, the same week. And it can't be sheer coincidence that both magazines made Mr. Agnew the topic of their cover stories the same week, either.

Life, Look, and until its death, the Saturday Evening Post, all reported the news from the same basic editorial slant, that of the Eastern Liberal Establishment. So did the Herald-Tribune and the New York Times. I know. I've live in New York City for 23 years. The only alternative is the National Review, and its
circulation is only 125,000, every other week. On the liberal-left side you've
got the Saturday Review, the New Republic, the Nation, the N.Y. Review of Books,
and others.

The reaction of the liberal-left was swift, and predictable. The Vice
President had the chutzpah to challenge your basic assumption that only your kind
of people are fit to rule in America: that only those who agree with your point
of view can think for, or in, America.

There are many excellent conservative commentators and writers who could
work on national television, if you would allow them. Bill Buckley isn't the
only conservative spokesman in the United States. You could try Victor Reisel,
James Jackson Kilpatrick, Harold J. Taylor, Senator John Tower, Richard C. Cornuelle
(author of Reclaiming the American Dream), Eric Hoffer, and many others.

But you won't. Because you don't want their side to be heard. Not because
they aren't there.

Last night, the Vice President of the United States spoke for all of these
men, their philosophy and its supporters. And you didn't like it. Because the
Vice President spoke for America. And you didn't like that either.

I await your reply with interest.

Very truly yours,

Joel C. Mandelman

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The Reasonably Prudent Supreme Being

By Bruce Wackowski

In the case of U.S. v. Horst, Crim. Doc. 36149, E.D. S. Michigan (1957), the
court ruled that an appeal board had been in error. It seems that the board
refused the defendant's Conscientious Objector claim because his description of
the Supreme Being as "God is Love" raised doubts in their minds as to whether his
claim was based upon belief in a Supreme Being as envisaged by the draft law. In
1965 the Supreme Court, in an unbounded flurry of rationalism, defined "belief in
a Supreme Being" so broadly that Congress deleted the clause in the Selective
Service Act of 1967.

Imagine, if you will, defending a client's unorthodox view of the Supreme
Being. Torts students who are currently struggling with the concept of the
"reasonably prudent man" quake with apprehension at such a task. The "reasonably
Prudent man", as defined by the courts, always brings forth the image of someone
who has memorized all the turns in his daily maze. He has a large, bulging eye
on both sides of his head to warn him of any new obstacle in his steadfast quest
of the golden apples. He seems to be not unlike a clever fish. While the "reason-
ably prudent man" can hardly be characterized as a bon vivant, what about "the
Supreme Being" as the draft law pictured him? Would He not turn out to be a
sanctimonious jingoist? The Spiro Agnew of Heaven? I can see it now....

Hoffman, J.

Appellant Marfecke's request for a Conscientious Objector status was refused. His appeal board found that his description of the Supreme Being, "God is a trade secret", was not in accord with the meaning of Supreme Being as envisaged by the draft law. We are asked to review that decision. The sole question before us is the meaning of the belief in a Supreme Being as the draft law pictures Him.

The primary intent of the legislature in passing the draft law was to procure men for military service. It is difficult, therefore, for us to believe that the legislature would have any type of Supreme Being in mind that would not facilitate this action. Marfecke's remarks during his interview by the board to the effect that the Supreme Being in which he believes abhors all killing is clearly adverse to the meaning the legislature intended the Supreme Being of this statute to have. To read the statute any other way would be ridiculous. It would nullify its entire purpose and render it a meaninglessness legislative exercise.

It is not before us now whether or not Marfecke was negligent to the United States in believing in his Supreme Being. He certainly owes a duty to his Country's Supreme Being. However, there is a question as to whether Marfecke's Supreme Being is too remote to incur a foreseeable harm to the United States. It is sufficient for us to say that his Supreme Being is not the one the draft law recognizes.

Judgment Affirmed.

The Indiana University School of Law Insane Asylum

By Vic Streit

From the first day you walk in, you notice it: the excessively high heat to keep you listless and non-violent, the institution--green paint to pacify you, the windows that seem to open but screens which block your escape, and the rounded-off corners on the classroom seats and desks and the library carrels and chairs. The only sharp object in the entire building--the pencil at the library desk--is guarded constantly by the LeBus Legionnaires, and kept on a chain for good measure. The convincing factor is that totally blank stare emanating from everyone inside. From the outside it looks like a law school. Once you're inside you know--it's a loony-bin.

On the first day here, the head keeper favors you with his indoctrination speech. He then introduces you to the trustees (read: professors). The reason they get to be trustees is that they were outstanding inmates at another loony-bin. Due to their peculiar tendencies, they are kept in maximum security cells on the third floor, isolated from the other inmates. The longer they serve faithfully as trustees, the more entrenched they become in their positions. If they are kept here long enough, for obvious reasons, they get moved to super-isolated cells in unexplored regions of the second floor. The ultimate reward for continued service in this asylum is to be designated "keeper" (read: Associate, Assistant Dean). How one gets to be "head keeper", only "The Shadow" knows.
After meeting the trustees, the new inmates learn the proper route through the rat maze (read: library book-stacks) from inmates who learned it the year before from inmates who learned it the year before from inmates who . . . . After this conditioning you are exposed to the classroom, where you are forced to work at an incredibly busy pace on totally useless subject matter. If you have any questions about this irrelevant poppycock, the trustee-in-charge will utter a pavlovian response, which is precisely what his trustee at his asylum told him, who was merely passing on what he had been told as an inmate, and so on.

This mind-conditioning game culminates in periodic progress examinations. Any responses indicating lingering common-sense attitudes (obvious holdovers from pre-asylum days) will be awarded a D or D+. It follows, as night does forty-two, that a totally insane answer will be given the highest grade possible (C+) and the author will be lauded for "thinking like a lawyer." These graphic displays of insanity are captured in bluebooks, and filed away to haunt you for the rest of your life. If, at any time in the future, you should claim to be sane, a quick resort to the bluebook file will belie your assertions.

After a period of incarceration, usually three years, you are declared incurably insane, and released to the outside world. (If you are not incurably insane, you have undoubtedly left school by then.) Your incurable insanity is then authenticated, by the state in which you are allowed to run loose, by a magic measuring device called the bar exam. In case any rational, reasoning people escape (read: graduate) from the asylum, this device will ferret them out and send them on their way. If, for some reason, the incurably insane ones can't cope with the totally insane outside world, they have several alternatives. They can drop out, stay drunk, or work for the government. I suppose, as a last resort, they could return to an asylum as trustees.

In between spells of uncontrollable laughter, some of you may be wondering why this article is in the COMMENT section of the newspaper rather than the HUMOR section. Ask some of your friends about this--maybe they agree with me. I don't think it's funny.
IF YOU'RE NOT PART OF THE SOLUTION . . . ETC.

(An interview with Dan Hopson, Indiana University School of Law)
by Pat Glynn, Associate Editor

(Ed. note: Dan Hopson is one of eight professors at I. U. Law School who pioneered a survey study of the problems of poverty law and started the Clinic in Poverty Law at this institution. This Fall the faculty approved a plan to offer the clinic as a two-credit course but the student response was far below expectations. Out of a total enrollment of about four-hundred students only six students enrolled in the clinic -- less than two percent. In light of recent commentaries suggesting a rising interest among bright young attorneys in working with social welfare agencies such as VISTA, Legal Aid, etc., The Appeal examines the situation here at Indiana University. According to the VISTA slogan adopted from Eldridge Cleaver, "If you're not part of the solution . . . you're part of the problem." Your editor posed some pointed questions to Dan Hopson and here is Mr. Hopson's commentary.)

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REGISTRATION

The following are closed

B70
B7
B-

Seminars

B75  CSen
B72  Sen

...Poverty Law? ... Hell No, That Won't Be On The Bar Exam.
When asked the historical background of the clinic, Hopson said it all started in the summer of 1966 when the local bar association set up a program whereby bar members worked on a part-time basis in the Community Action Program office in Bloomington. The Legal Aid Committee of the local bar decided to allow Indiana University law students to work with the attorneys on an observer-helper basis.

In the Fall of 1968 some fifty students signed up to work in the program on a non-credit, voluntary basis. Of this number twenty were selected to participate. They operated in two-man teams, each team assigned to one attorney for whom they drafted memoranda, sat in on hearings and offered general assistance.

In the Spring of 1969 the faculty decided the law school ought to offer a Poverty Law course, and the initiative of some eight faculty members working in their own spare time produced a two-hour course. The course followed the same basic outline of the Community Action Program operation but added the classroom participation element. Each of the eight professors worked within his particular specialty, giving special emphasis to the poverty law aspects of his area of expertise. The students, 22 of whom enrolled in the course, were given outside reading assignments and text composed of the composite mimeographed material prepared by each of the participating professors.

The course gave broad coverage of poverty from many angles and was run much like a seminar, requiring a research paper on any of the several areas covered in class.

Hopson admitted the program offered only a minimal clinical experience. He said, "That is the best available stop gap measure with the resources available. It's not the finished product."

Hopson told The Appeal it was hoped the course would generate the impetus for formation of several other courses providing a deeper, more specialized exploration of the several topics touched by the survey course. The faculty this Fall approved both the clinic and a two-hour seminar in Welfare Law taught by Mr. Popkin, who was one of the eight original participants in the clinic. Inexplicably, neither course generated any significant student interest and both were dropped by the faculty. The aid program has returned to a voluntary basis, involving eleven students working with Bloomington attorneys but receiving no substantive teaching.

The inexorable question remains, "What happened?" Hopson admitted he didn't know; the enrollment here dropped at a time when it appeared the students at other schools, such as Yale, Michigan, and N.Y.U., were pressing for more programs of this type. Said Hopson, "It's evident there are students interested in the area of poverty law, but I don't know the quality of those students. I don't know if they are the good students or the poorer students. Most law schools are doing something in the poverty law area, but if the students at I.U. aren't interested in this area, then fine. It's their choice. I think I would advise most law students in this day and age to have an acquaintance with the problems of the poor and what lawyers can do -- as I would advise most law students to take basic income tax. They should also be aware of this."

Asked if he thought the nation's law schools, and particularly Indiana Law School, were addressing themselves to the problems of social welfare, Hopson said: "Historically law schools by and large provided lawyers for the business
community, and the subject matter of their curriculums reflects this. Law schools followed rather than led."

"The first change across the country was the addition of legal education in terms of professional responsibility -- educating law students to look to the broad policy rather than strict doctrine."

"The shift in law schools to social-concern type problems, however, is more of a reflection of society's concern. As employment opportunities open up in various agencies, the law students are asking for courses relevant to the issues."

Hopson cited a split in faculty opinion on social welfare type courses. "On one side there are faculty members who see, as the law school's primary obligation, that of teaching students to be lawyers, of giving them the ability to think certain ways and use certain techniques. To these men the subject matter taught is irrelevant. To that type of faculty member poverty law courses are fads."

"Other members of the faculty feel quite strongly that the type of courses offered tend to suggest to students the relevant areas for the profession."

Hopson said, "It would be wrong, really, to call it a split... it's more a matter of areas of concern."

So there you have it... "areas of concern..." As Padraic Kennedy, Acting Director of VISTA, stated in a VISTA white paper:

The law often seems remote. It conjures up images of solemn gentlemen in vests, poring over contracts and probating dry-as-dust wills. In truth, as lawyers know, the law can be the most lively of arts, the most challenging of professions.

...Traditionally, the law has reflected the standards of the middle and upper income groups -- the property-owning, salaried, educated professional men and women. It has not reflected the hopes nor served the needs of the poor. The poor man has often been cut off from the protection of the law. He has often been made into a functional outlaw. ...The needs of the poor are so critical that people with professional training can no longer stand aloof.

One might question where I.U. law school and her graduates will stand.

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FACULTY CHANGES

Beginning with the spring semester of this year, Assistant Professor James Gordon will be placed on leave of absence to return to practice in Chicago. This semester Mr. Gordon taught Antitrust Law I and Administrative Law. Antitrust Law II, scheduled to be taught spring semester by Mr. Gordon, has been cancelled. Regulated Industries will be taught by Mr. Puchs. Mr. Gordon's leave will end with the beginning of fall semester, 1971.
Assistant Dean Thorpe has requested to be relieved of his administrative duties as Assistant Dean. Effective at the end of this school year, he will assume a full-time teaching position. No replacement for the position of Assistant Dean has been named.

COMMUNITY SERVICE FOR CREDIT:

THE CLINIC IN JUVENILE PROBLEMS

by Dan Blaney

Professor Dan Hopson describes the clinic in juvenile problems of being first an educational experience. So it is, but it also provides an opportunity for the law student to help the community. Juvenile delinquency is a grave problem in Bloomington, as it is elsewhere. Monroe County has two probation officers. Although they are dedicated individuals the number of cases greatly limits the time they may spend per case. Law students help relieve the case load.

Working as a probation officer affords the student an opportunity to utilize his skills and knowledge. This is the first time most students have a chance to work in a law related job. The probation officer files the petition initiating the juvenile court process. He works with the juvenile court judge by recommending what action the court should take. Before a recommendation is made the juvenile's background and personality must be investigated and studied. The investigation culminates with a written social history report. The report is compiled by information obtained from visits to the child's home and meeting with the child, his parents, his teachers, and any other persons who may give helpful information.

The probation officer's job does not end with the juvenile courts making a disposition, it is just beginning. In the majority of the cases the juvenile is placed on probation. At this stage the probation officer learns to use and develop resources in the community to help his juvenile. He may find a part-time job for the juvenile or help him get into the service. The juvenile may need psychological help, which is available through the Community Mental Health Clinic. The probation officer may meet with the parents on numerous occasions to help them work with their child.

While Professor Hopson permits the student relative freedom in his work, periodic class meetings are held. At the class meetings Professor Hopson may lecture, have a guest lecturer, or open the meeting to general discussion of the cases. This year, as last, the clinic is working with a group of doctoral candidates in psychology. Most of the classes are devoted to discussion of the cases. The class discussions and the psychology students are helpful in providing insight to understanding and working with the child.

The clinic in juvenile problems is at times a rewarding experience. Other times the student suffers frustration by not achieving the desired results. However, all the time the clinic is valuable and worthwhile to the community, the student, and hopefully the juvenile.
CHRISTMAS DANCE TO BE HELD DEC. 12

The annual law school Christmas dance will be held on Friday, Dec. 12, from 9:00 to 12:00 P.M. The gala occasion will be held at the Van Orman Suburban Hotel, north of Bloomington on State Road 37. The price will be $2.00 per couple, and dress may be formal or informal. A band will provide entertainment for dancing, and a cash bar will be available.

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PHI ALPHA DELTA . . . ON THE MOVE

by Jim Heupel

Professionalism is the credo of the Phi Alpha Delta law fraternity and the local Adams Chapter works with this principle in mind. Two significant programs instituted by PAD include "Tutorial Sessions" for Freshmen and "Professional Opportunities" for chapter members.

Jay Tarkin, Junior, heads a committee which is developing the Tutorial Sessions. These meetings, open to all Freshmen, are intended to answer specific questions arising from first year courses and also general questions about the courses, professors and the law school. Although no expertise is claimed by the panel of students answering the questions, it does represent a cross-section of law students. The first session, "On Civil Procedure," conducted on October 8, had a panel of PAD members representing last year's civil Procedure class and included A, B, and C students. It was not a "hatchet" session, but rather was meant to give this year's freshmen some answers and encouragement that last year's class would liked to have had. Study hints and examination tips were given, as well as the advice: "Bear with it now, because it will be important later on." More sessions are currently being planned.

Dick Cook, Senior, is in charge of the Professional Opportunities program and is quite pleased with the group's first activity, an evening supper meeting with Alaskan attorney, Mr. Richard Gantz. On campus for interviewing law students to fill a position in the firm he is associated with, Mr. Gantz was quite happy to meet and talk with PAD members. He discussed a wide range of subjects, including such things as job opportunities in Alaska, the things that interviewers look for in law students, and the need for closer practicing attorney -- law student relationships. A variety of programs are being planned in this area by Phi Alpha Delta to include not only dinner meetings but also informal sessions at the law school for PAD members and visiting attorneys.

On the social front the Fraternity figured among the "re-starters" of the TGIF sessions at a well-known local establishment. A long-time law school tradition, the Happy Hour fell into disuse in the recent past and was resurrected by several law students who never knew it had ended.

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ALUMNI DAY ACTIVITIES FEATURED EXPLANATION OF NEW INDIANA RULES

November 7 was the date of the law school's Annual Alumni Day Activities. On that date, former law school graduates were treated to tours of the law school and also a luncheon honoring this year's graduating class. The afternoon's activities centered around a discussion of the effects of the new Indiana Rules of Civil Procedure, and was led by Professor Edwin Greenebaum.

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NATIONAL MOOT COURT COMPETITION: RE REGIONAL ROUND
by Bill Reel

Our national moot court team proceeded to Louisville on November 6 for the regional round of competition. Although it had briefed petitioner's side, the team argued the side for the respondents. We lost to the University of Louisville in the first round, although the team actually argued against Memphis State. U. of L. was the sponsoring organization of the regional round. The ultimate winner of the regional round was from a law school located somewhere in the slums of Indianapolis.

The first round of "presentations" were to commence at 7:30 P.M., and promptly at 7:35 P.M. the scorers from U. of L. appeared. They announced that presentations would not be limited to 30 minutes, as the rules specify, but that the clock would be stopped every time the "judges" asked a question. As a consequence, Memphis State leaped at this opportunity and proceeded to occupy 1 hour and 25 minutes of the judges' time. They spent half of their time arguing their own petitioner's brief, and half of their time making arguments directly from our petitioner's brief. It was our opinion that, after an hour and 25 minutes of petitioner's argument, we would be at our best in the judges' eyes by trying to keep our presentation within the 30 minute limit. This was evidently misinterpreted by the judges, as at least one of them informed this team member, after the decision, that we lacked zest -- whatever that has to do with effective appellate advocacy.

In the past, briefs submitted for competition have been sent for grading to a law faculty of a school in the particular region involved. This year, for reasons known only to U. of L., the briefs were given to a commissioner for the Court of Tex Appeals of Kentucky. While it is not exactly clear as to the basis used by this esteemed personage for grading, it is evident that in his eyes the briefs had something wrong with them. His criticism boiled down to two words that are not found in the English language -- something like too "academicatorily" oriented with not enough "advocatorliness."

While being greatly disappointed in the outcome of the regional round, it is still the feeling of this participant that the Sherman Minton and National Moot Court competitions are extremely worthwhile. The benefits to be gained by participation in these programs are well worth the effort and time expended.
WORD FROM MOUNT OLYMPUS

by Vic Streib

Got a letter from Stan Levco, which began "Dean Victah." For those of you who haven't heard of our guru-in-exile, he is a refugee from last year's freshman class, and is teaching the seventh grade in a Cleveland ghetto. Although he didn't have time to write an article for this issue of The Appeal, he did include an essay by one of his students. I have decided to share it with you.

SOUL

Soul is the name of a dance. Soul is being Black and proud and it is also a song. Soul is the way I play and talk with a soul Sister. Soul is what I call a cute Black Brother or Sister. Soul is when I can turn on the radio and listen to a Soul brother talk his out of sight soul. Soul is what God gave us and our soul is what he takes when we die or pass away. To a black person Soul is his life and Love. Soul means many things to Black people and Soul is also freedom for all and Soul is me.

by Tonia Lacey

It must be wonderful to be 13 and Black.

Dear Mr. Streib:

Your November editorial on Dean Harvey may well rank itself as a snow job. Some students feel the Dean inaccessible, you begin, but "we" do not find him so. The Dean, you continue, should see anyone who wants to see him. But, if he sees any student - whether he will or not being unresolved - the student falls dumb, his heart slamming shut owing to the Dean's way with words.

Yet you implied the Dean is accessible. Once he has opened his door, must he further go seek those who want to speak with him? D'you 'spose he oughta remember his high fallutin' talk makes us untaught law students mighty uncomfortable? You shift inaccessibility from meaning physical presence to intimidating or aloof personality to lofty, circumlocutious speech without ever establishing that the Dean is inaccessible. Is the Dean such a slippery eel, or the Editor? - or is it that damned English language? Is this a case of calling as seeing, or was this to demonstrate the nonapplicability of the doctrine?

Yours faithfully,

William P. Fugelso
Freshman
SUGGESTION BOX SALUTATIONS

The Appeal suggestion box has brought forth some interesting comments and suggestions from our colleagues. Those of specific importance to particular persons have been forwarded to and discussed with those persons. Some of those of more general interest to our readers are printed below.

PRESENT SITUATION: At present, no course is offered which provides any basic instruction in a facet of "bread and butter" law which is of vital importance to any practicing attorney: namely, how to examine an abstract.

CRITICISMS: We need such a course.

SUGGESTED IMPROVEMENTS: Offer such a course during the summer. It could be put in one of the short sessions for one hour credit.

PRESENT SITUATION: I have noticed that the names of the Editors-in-chief of the Ind. L. J. for 1967-68 and 1968-69 have not as yet been engraved on the plaque in the main hallway. Juniors, Seniors, do you know why? Could you shed a little light? What deep, dark, untold stories lie behind these apparently innocent omissions? Are they cases of heresy, penury, what . . .?

by A Freshman Dying to Know

As soon as Hugh Kirtland and Bill Pietz learn to print their names legibly, they will take their places on the magic plaque.

Saving the best for last, here is our favorite.

PRESENT SITUATION: The Appeal is published too frequently.

CRITICISMS: The Appeal does not contain enough worthwhile information. I would like to know more about law school births, marriages, divorces, promotions, retirements, parties, intra-mural sports, fraternities, S.B.A., etc.

SUGGESTED IMPROVEMENTS: It is respectfully requested that The Appeal cease publication altogether. Silence is golden.

by Joe Student
One Junior's Observations

by Vic Streib

Quotable Quotes:

Broadway Producer David Merrick on a TV talk show: "I left the law, and I'm happy about it. I meet a much better class of people in the theatre."

My classmate at 11:24 A.M. on Nov. 3, 1969: "Con. Law right after International Law is too much of an exercise in obscurity."

One of the students in Post Conviction Remedies, describing the maximum-security cells at Pendleton: "The only difference between these cells and the dungeons of 200 years ago, is 200 years."

Prof. Baude in Con. Law at 11:32 A.M. on Nov. 11, 1969: "Until we realize that the word 'State' is meaningless, we can't really determine what it means."

Student in Evidence, in response to Thorpe's argument: "I think that's the least common sense position I've ever heard in my life."

A Cleveland-Marshall Professor, in response to Stan Levco's quote from a dissenting opinion: "The dissenting opinion? The dissenting opinions merely confuse the issues. I don't want to tell you how to study, but I don't read the dissenting opinions and I don't advise you to."

Just had to share this with you:

(Representative Taylor of Tennessee, speaking to the HUAC resolution prior to its enactment by the House, 75th Cong., 3d Sess., 83 Cong. Rec. 7571)

This resolution is not confined to any particular type or denomination of un-Americanism. It embraces all varieties — nazi-ism, communism, and facism — and none of these "isms" has any place on American soil. There is room in the American atmosphere for but one flag, and that flag is the red, white, and blue — Old Glory. There is place in the American dictionary for but one "ism," and that is old-fashioned, simon-pure Americanism. And any man or woman who would hoist any other flag than Old Glory or preach any other "ism" except Americanism is not only unworthy of American citizenship, they are not even entitled to temporary residence in this "land of the free and home of the brave."

Now, from the ridiculous to the sublime:

CONGRATULATIONS AND BEST WISHES TO PHIL AND JUDY!!
Vote:

On the last page of this issue of The Appeal is a ballot for a referendum in which we encourage all law students to participate. This proposal was written by an SBA officer, and is concurred in by the entire SBA executive committee. The purpose and possible effect of the referendum is explained in the ballot. Regardless of your feelings toward the SBA and/or student participation in general, you should make your feelings known by detaching the ballot, checking the appropriate box, signing your name, and dropping it in the ballot box in the main lobby.
As presently constituted, the Student Bar Association (SBA) is not a representative organization. This will come as a surprise to many first year students who joined under the assumption that the scope of the SBA encompassed something more than a social orientation. The SBA membership is approximately 50% of the student body. The organization and its officers are not considered "student representatives" by the faculty, administration, upperclassmen, or the officers themselves because of the narrow membership base and the generally "non-governmental" orientation of the SBA.

We propose a change to fill this "representation vacuum". Since the SBA is already in existence, we feel it would be easier and less traumatic to remodel it rather than discard the old structure and create a totally new body. To this end we make the following proposal for your consideration:

That, with the beginning of the Spring Semester 1970, the Student Bar Association be considered an organization representative of the entire student body regardless of the size of its paid membership.

That, while election to office will be restricted to SBA members, all students will be allowed to vote for class representatives since those elected will represent all students.

Further that, those elected representatives, by virtue of the de facto broadened base of support, be empowered with the authority and responsibility to speak on behalf of the entire student body re resolution and negotiation power.

Re SBA Referendum:

I approve ________

I disapprove ________

Signature __________________

Signature __________________