The Appeal began this year with a definition of our goals and a plea for help in achieving them. As this year ends our purpose remains the same: to tell "what's happening" at our law school and to serve as an outlet for commentary by the students and professors. And we report, quite happily, that our pleas for help have not gone unanswered. The five members of our editorial board have been assisted by five times as many contributors and workers.

The October, 1969, issue of The Appeal was barely 10 pages. The April, 1970, issue was 30 pages and climbing. In addition to this increase in size, we also feel that the quality of articles published has improved. Doubters are referred to Dean Harvey's "State of the Law School" address and Dick Boyles' "Ag News" article. We are also proud of the other articles we have published and find that contributor's articles are almost always better than those produced by the editors. Reflecting an increased emphasis on "news" items, this issue includes the most important student news developments of the year.

The Appeal will not be published again until October, 1970. We have many ideas and plans for next year, but we will leave these to next year's editorial
board. Heading that board as Editor-in-Chief will be Jay Robert Larkin, this year's Managing Editor. Jay and his associates will need the assistance and support of the students and faculty as much as we have needed it this year. Support them as you have us, and The Appeal can and will be whatever you wish it to be.

THE STAFF FOR 1969-70

Editor-in-Chief: Vic Streib
Managing Editor: Jay Larkin
News Editor: Peggy Tupe
Associate Editors: Pat Glynn and Ray Robinson
Contributors: Professor R. Birmingham, Dan Blaney, Dean Douglass G. Boshkoff, Dick Boyle, Professor J. F. Brodeley, William P. Fugelso, Phil Graham, Nathaniel C. Hamilton, Dean W. B. Harvey, Jim Heupel, Tom Kennedy, Stan Levco, Joel Mandelman, Alphonso Manns, Ronald Payne, Bill Pelt, Bill Resneck, Tom Shriner, Greg Smith, Dean Philip Thorpe, Steve Trattner, Bruce Wackowski, Tom Zieg, and Ira Zinman.

The Appeal is published monthly by the Student Bar Association of the Indiana University School of Law, Bloomington, Indiana. The views expressed in articles and editorials do not necessarily reflect the views of the Administration, Faculty or Student Body. Opinions expressed are those of the writer, who alone is responsible for content and style. Unsigned editorials reflect the views of the Editors. Permission is granted for reproduction of any article or any part of an article appearing in The Appeal, provided credit is given to both The Appeal and the author if the article is by-lined.
First-year students are frustrated after a semester of legislation; and upperclassmen are unhappy that the faculty apparently prefers to hold itself aloof from the student body.

These and many other opinions about the law school were aired by 12 student representatives during a joint student-Curriculum Committee conference April 10 at McCormick's Creek State Park.

Dean William Harvey explained that the students selected to attend the conference were picked from various undergraduate major and geographic groups in order to get some type of random sampling of student likes and dislikes at the law school concerning curriculum.

Prof. Joseph Brodley, Chairman of the Curriculum Committee, set the tone of the meeting immediately. "I believe curriculum means more than just law school courses," he said. "I believe it encompasses nearly everything that goes on in the law school."

Dean Harvey emphasized that he wanted student representatives to be frank in their criticisms. "We want to find out what's wrong with the law school, and what can be done about it," he said.

The students picked up the gauntlet. After dividing into freshman and upperclassman groups, they tore into some of the basic premises upon which the school now operates, with Profs. Brodley and Edwin Greenebaum meeting with upperclassmen, and Dean Harvey, Prof. Roger Dworkin and T.A. Ken Germain attending the freshman session. Then the conference regrouped and findings were discussed.

Carol Channell, freshman spokesman, reported that first year students have two main objections -- the required Legislation course, and lack of general counseling. The freshmen felt that if more counseling and explanation were available, first-year law students would spend less time wearing a "what the hell is going on here?" complex.

Neil Irwin, appointed spokesman for the upperclassmen, outlined his group's opinions on various subjects, some of the most important of which were:

-- lack of emphasis on legal writing. At present, the only opportunity for students to master writing techniques comes through the freshman tutorial program, seminar, research, law review, and of course final exams. It was suggested that research papers, to count as a portion of a final grade, or even in lieu of a final examination, be implemented. Several students felt that they should have the choice of taking a test or writing a paper for the course grade.
-- lack of student-faculty relations. One student recounted an experience with Prof. Schornhorst, where he ultimately learned -- out of class -- "that Mr. Schornhorst really wasn't a mean, rotten bastard." He was really a pretty good guy. Another student reported that "he had actually heard Prof. Getman laugh in public." The point of these rather humorous asides was that students apparently want to know their professors better, and to know them as human beings as well as academicians.

This criticism met with argument from several faculty members who wondered if students really did want closer contact with the teachers. They claimed that students avoid opportunities to get better acquainted with faculty, and cited poor attendance at the S.B.A. coffee hours as one example.

At any rate, both students and faculty readily admit that the problem exists. Dean Harvey said he plans to request funds to convert one of the lounges into a Commons area, where students and teachers can co-mingle with a minimum of formality. In the alternative, Prof. Dworkin offered to eat his lunch from a brown paper bag with students in the coffee lounge.

-- lack of counseling. Since this was also a freshman criticism, it came in for a great deal of discussion. Several solutions were offered:

1. Assignment of all students to a faculty member, who would serve as their counselor for three years.
2. A "big-brother" system, with seniors assuming the role of lord and protector of freshmen.
3. Expansion of the present T.A. system, so that T.A.'s could counsel and also serve as mediators between faculty and students.

Other points which drew less comment in the joint session were:

-- the arbitrariness of the grading system.
-- the almost unconscionable cost of a legal education at I.U.
-- lack of "practical courses" that would teach the gut element of practicing law.
-- too large classes.
-- not enough course diversification.

In reality, none of the problems were solved in the meeting. But they did receive a thorough dialogue, during which students and faculty readily admitted these problems do in fact exist. It would seem then, that the ultimate success of the conference is contingent on how the school goes about changing some of the problems. If the conference results in some progressive changes, then it was definitely worthwhile, and might be worthy of an annual institution status. If nothing changes -- which is often the ultimate manifestation of such conferences -- the participating students and teachers at least got to know each other better. But the non-participants gained nothing.

The conference adjourned with a flourish when someone noticed several bottles of darkly-colored liquid on a table in the conference room. Dean Harvey, when confronted with the bottles, muttered something about having back trouble. The faculty waived cross examination of the students, and the contest began. Ultimately however, Prof. Greenebaum declared a mistrial on grounds of incapacity of both parties, and placed the then-empty bottles back into the sack from which they came.
A new trial date has not been set, although reliable sources indicated that it "could be any day."

(Ed. Note: The Appeal is happy to publish this letter from Phi Alpha Delta to Mr. Axelrod, since it is of general interest to all law students).

April 16, 1970

Dear Mr. Axelrod:

After long delay, for which I apologize, I felt I should amplify to you the reasons why I felt it necessary for Phi Alpha Delta to cancel its plans for a moot court clinic.

As you will recall, our original plan called for ex parte hearings in front of panels of judges composed of second and third-year PAD members. Participation would have been limited to PAD pledges and their partners, and every effort to duplicate the actual argument would have been made. It was our feeling that such a practice session would only formalize what virtually everyone does with his partner, his roommate, etc. That is, it would be an even better opportunity to practice and gain experience in speaking extemporaneously to the questions from the bench.

We felt that it would be only prudent, as well as common courtesy, to inform the Administration and Faculty what we were planning in order that we might avoid any charges that we were writing our pledges' briefs or giving them some other form of unethical aid. I personally talked with Dean Harvey about the matter and he, pointing out that any other organization could set up a similar program if desired, said he felt it was a good idea and not objectionable. He further referred me to Mr. Greenebaum.

I spoke to Mr. Greenebaum and he indicated that he saw nothing objectionable, and, in fact, that you had been considering a similar program. He suggested it might be profitable to talk to you, at which point he went to find you.

You will recall that you objected because limiting the program to PAD pledges would give them an undue advantage over the rest of the class. Although I was sceptical of our ability to handle 76 ex parte hearings, thus including the entire freshman class, I discussed the matter with some of the other members and officers.

The members and officers felt that the modified plan was simply unacceptable. First of all, the whole point of the program had been to help our pledges in some tangible fashion while not exceeding the bounds of ethics. Our original plan would have done this. Secondly, to hold 76 hearings would have meant that we needed 76 panels of judges. Since we had an approximate limit of thirty members, that meant that each 3-judge panel would have to sit for nearly eight hearings. To reduce this patently unacceptable load by recruiting non-PAD judges would have destroyed the other value of the program: the benefit to the upperclassmen of having the opportunity to sit as a juge and thus see what it looks like from the other side of the bench.
There was, frankly, some sentiment that we should go ahead with our original plans, since the faculty had no veto power over our internal operations. While this is true, we did not do so basically because we had already chosen our forum, so to speak. We had played the game by the rules and lost, which perhaps is a lesson for the future. We could not be sure what, if any, repercussions would arise from any decision to go ahead with our plans, particularly in view of the fact that moot court grades are not anonymous.

The decision not to proceed was particularly difficult because we had rushed many of our pledges on the basis of this program, to which we never dreamed anyone would object. As you can understand, many of the pledges expected it to materialize and we felt an obligation to them. So that all of our pledges may understand the precise development of this situation, I have been requested by the Justice of PAD to assent to the publication of this letter in the next issue of the APPEAL, which I have done.

I regret that this has not worked out, for PAD has always been in the forefront in the development of new programs to serve the law student. For example, we first established on an informal basis what became through justifiable student pressure, the Trial Techniques course. We instituted the library tours which SBA and the law school later included in the orientation program. There has been such a demand for our Police Program that this semester it will operate in Bloomington as well as Indianapolis. This too could have been such a program.

Very truly yours,

/s/ Gregory B. Smith

Gregory B. Smith, Chmn.
Moot Court Clinic Committee,
Phi Alpha Delta

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THE TRADITION OF RESPECTFUL ARGUMENT

(Ed. Note: This essay has been published in many formats. We believe it is of interest to our readers, so we are reprinting it in The Appeal. It was originally written by Bishop James P. Shannon, President of St. Thomas College, St. Paul, Minnesota).

One mark of an educated man is his ability to differ without becoming angry, sarcastic or discourteous. Such a man recognizes that in contingent matters there will always be a place for legitimate difference of opinion.

He knows that he is not infallible, he respects the honesty and the intellectual integrity of other men, and presumes that all men are men of integrity until they are proven to be otherwise.

He is prepared to listen to them when their superior wisdom has something of value to reach him. He is slow to anger and always confident that truth can defend itself and state its own case without specious arguments, emotional displays or personal pressures.
This is not to say that he abandons his position easily. If his be a disciplined mind, he does not lightly forsake the intellectual ground he has won at great cost. He yields only to evidence, proof or demonstration.

He expects his adversary to show conclusively the superior value of his opinions and he is not convinced by anything less than this. He is not intimidated by shouting. He is not impressed by verbosity. He is not overwhelmed by force or numbers.

His abiding respect for truth's invincibility enables him to maintain composure and balance in the face of impressive odds. And his respect for the person and the intellect of his opponent prevents him from using cheap tricks, caustic comments or personal attacks against his adversaries, no matter how brilliant or forceful, unjust or unfair, they may be.

Because of his large views of truth and of individual human respectability, he is prepared to suffer apparent defeat in the mind of the masses on occasions when he knows his position is right. He is not shattered by this apparent triumph of darkness, because he realizes that the mass-mind is fickle at best.

He is neither angered nor shocked by new evidence of public vulgarity or blindness. He is rather prepared to see in these expected human weaknesses compelling reason for more compassion, better rhetoric, stronger evidence on his part. He seeks always to persuade and seldom to denounce.

The ability to defend one's own position with spirit and conviction, to evaluate accurately the conflicting opinions of others, and to retain one's confidence in the ultimate power of truth to carry its own weight, are necessary talents in any society, but especially so in our democratic world.

In our day and in our land, there is some evidence that these virtues are in short supply. The venerable tradition of respectful argumentation, based on evidence, conducted with courtesy, and leading to the exposition of truth, is a precious part of our heritage in this land of freedom. It is the duty of educated men to understand, appreciate and perpetuate this tradition.
PROFESSOR SCHORNHORST WINS GAVEL AWARD

By a vote of the graduating seniors conducted during this semester, Associate Professor F. Thomas Schornhorst was chosen as this year's recipient of the Gavel Award. This award, sponsored annually by the Student Bar Association, was initiated in 1948 and is given to that individual who, in the opinion of the senior class, has rendered outstanding service to the law school and its students.

Professor Schornhorst first joined the law school faculty for the 1966-67 school year. Since that time his teaching duties have been primarily in the area of torts and criminal law. For the past two years Professor Schornhorst has also supervised the Clinic in Post-Conviction Remedies.

Prior to joining the I.U. law faculty, he practiced law in Washington, D.C. Professor Schornhorst received the J.D. degree from George Washington University in 1963.

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NEW LAW JOURNAL EDITORIAL BOARD APPOINTED

The Indiana Law Journal has announced the selection of next year's editorial board. These men were selected from the present staff of Junior Writers. Junior Writers not appointed to the Editorial Board will serve as Senior Members of the Journal next year. The members of next year's Editorial Board are as follows:

Editor-in-Chief
Michael D. O'Connor

Executive Editor
James P. Mulroy

Managing Editor
Judith A. Mitnick

Editorial Assistant
Jane Cavins
Dale Pryweller

Articles and Book Review Editor
Ronald L. Chapman

Note Editors
Neil Irwin
Robert Gullick
Larry Linhardt
James Wilson
S.B.A. ELECTIONS HELD

On Wednesday, April 22, members of the Student Bar Association elected their officers for the 1970-71 school year. Dick Boyle was elected to the office of president. Tom Gallmeyer will serve as vice-president and Peggy Tuke is the new secretary-treasurer. Class representatives are Milt Stewart, senior, and Tom Shriner, junior. Freshman representatives will be elected next fall. The new officers will serve a one year term beginning on May 1, 1970.

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IF IT PLEASE THE HONORABLE WAITRESS

by Joel Mandelman

"May I take your order, sir?"

"If it please your Honor -- I mean, yeah, two hamburgers and two cokes".

After three days of competition here and in Cincinnati, the Law School's four Sherman Minton finalists -- Mike Schaefer, Joel Mandelman, Bob Long and Milt Stewart -- were addressing everyone as Your Honor.

The first two nights of Minton competition were held here last Monday and Tuesday. In the first round Schaefer and Mandelman defeated Dirk de Roos and Charlie Bloom. In the second, Stewart and Long defeated Ira Zinman and Tom Zieg. The four winners went to Cincinnati to compete in a Tri-State Competition against the Univ. of Cincinnati, Ohio State and the Univ. of Kentucky.

The IU team and their advisor, Prof. Patrick Baude, brought home most of the honors. Stewart and Long won the overall competition, with Stewart taking individual honors for the best oral argument. Mandelman and Schaefer made it to the semi-finals defeating the Univ. of Cincinnati's 1970 National Moot Court team. Mandelman won best individual oral argument in their loosing semi-final round against Kentucky.

The Law School's second year Moot Court program, named in honor of one of the School's most distinguished alumni, Mr. Justice Sherman Minton, is open to all interested second and third year students.

The experience is well worth the time and effort put into writing the brief and arguing it, even if it means taking fewer hours that semester. The first year moot court program is only a bare introduction into what is really involved in preparing an appellate court appeal.

Here the issues aren't neatly laid out and divided up. The first problem is to figure out what the issues are. The facts in the record can frequently be construed in several different ways, and one crucial technique you learn is how to construe the facts as raising issues favorable to your side of the case.
Secondly, you’re on your own writing the brief. There’s no TA to go crying to -- or from. Developing confidence in yourself is one of the most important things law school can teach you. And Moot Court Competition is one of the few places where you can learn it.

(Ed. Note: The following is the syllabus of a course to be offered by Professor Birmingham next fall.)

**B637 MATHEMATICAL METHODS IN LEGAL ANALYSIS**

Two points should be made at once: the course will be taught on a Satisfactory-Fail basis and no mathematical background on the part of the student will be needed.

The topics I hope to cover include: scientific methodology, game theory, welfare theory, probability theory, decision theory, and information theory. The unifying theme will be the development and application of mathematical models to various categories of legal problems. The mathematical boundaries of the course will be set by my intention to present a survey of substantially all the techniques that have been used in constructing models dealing with the law. As elsewhere in the social sciences, a mathematical model does not introduce factors not previously present, but may permit complex analysis to be carried forward more clearly and unambiguously than is possible on a verbal level. The techniques evolved must of course be applied with care; nevertheless a similar approach provides the basis of modern economic thought and is increasingly considered a valuable aid in the solution of business problems.

The flavor of the material is best conveyed by example rather than by description. The interested student might look at one or more of the following articles, which deal with subjects we will discuss in the course:

- **Kaplan, "Decision Theory and the Factfinding Process,"** 20 Stan. L. Rev. 1065 (1968);

- **Finkelstein & Fairley, "A Bayesian Approach to Identification Evidence,"** 83 Harv. L. Rev. 489 (1970);


Two types of gain to the student appear possible:

(1) The course should provide students with fresh perspectives; they should learn to think in terms of sets of similarities and differences alternative to those supplied by traditional legal categories. New insights may result from manipulation of the models.
(2) The course should provide an introduction to the use of mathematical reasoning. This skill is a prerequisite to comprehension of current literature in the social sciences and will facilitate communication with the highly trained younger executive and other specialists.

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(Ed. Note: The following is the syllabus of a seminar to be offered by Professor Brodley this summer.)

SUMMER RESEARCH SEMINAR
APPLICATIONS OF SCIENTIFIC AND
MATHEMATICAL METHODS TO LAW

Students interested in taking a special research seminar this summer on scientific and mathematical methods in law are invited to see me. The seminar will be limited to a maximum of six or seven students. The seminar will explore the uses in law and legal analysis of particular social science methods. These could include, for example, statistics, survey techniques, welfare theory, probability theory, game theory, decision theory, symbolic logic, computer analysis.

Each student will chose a single methodological area. Thus, student A might chose statistics, student B game theory, student C welfare theory (I would also take one area myself). Each person would study some basic works or texts in his assigned field (possibly including auditing a summer course in the subject), research the legal literature to uncover all known applications of his chosen social science technique, and write a paper, under my supervision and editing, on the uses of that particular technique in the law. We would then attempt to develop the various papers into a single, hopefully publishable, paper.

Credit
The seminar will carry 2 hours credit, unless it appears that in an individual case the work demand is sufficient to justify 3 hours.

Student Research Opportunities
As many as six or seven students can be fruitfully utilized on various subtopics. The project will provide the opportunity to students for sustained interdisciplinary study, and the challenge to relate this to the lawyer's viewpoint; for the student will be asked to present the materials at a level of communication so as to make them meaningful to legal readers who have not studied the particular social science method or mathematics involved. Students will be asked to make preliminary reports on their progress to the working group at various times during the summer and periodically we shall hold informal discussions. The students will have the opportunity to write a paper, under close faculty supervision and editing, about both law and social science.

Publication Potential

The publication potential seems high. Previous papers have dealt with a single topic (e.g. Finkelstein, The Application of Statistical Decision Theory to the Jury Discrimination Cases, 80 Harv. L. Rev. 338 (1966)). This
would be the first general survey (of which I am aware) examining in detail the recent developments in several fields and their implications for the future of legal education and legal research.

No special qualifications are required, other than interest. On the other hand any student possessing background in one of these methodologies might be particularly attracted to do further work in it.

Please see me in my office, or leave your name and telephone number in my box on the third floor if you are interested in enrolling or would like to obtain more information about the project. This is particularly imperative in order to facilitate planning of the project and because I shall be out of town the first few days of the summer semester.

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STUDENTS HOLD BANQUET HONORING DR. HALL

On Monday evening, May 4, Dr. Hall's freshman Criminal Law students honored him with a banquet at the Holiday Inn. The occasion was well attended by students and faculty members and their wives.

Professor Jerome Hall is retiring from our faculty in June and will be accorded the rank and title of Distinguished Service Professor Emeritus.

Professor Hall has been associated with I.U. since 1924, with a break from 1929 to 1937 during which he taught in other universities. In September, Dr. Hall will join the faculty of Hastings College of Law in San Francisco, California.

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PHI DELTA PHI SPRING PLEDGING

by Bill Pell

At the conclusion of its Spring Rush Program Phi Delta Phi was very happy to pledge 24 first, second, and third year students, which for the first time included two first year women law students. The pledges of Phi Delta Phi show great promise, and with their able support the fraternity should be able both to carry on and to greatly expand its programs in the equally important areas of the professional and social aspects of our school.

The rush program consisted of a coffee hour early in the semester followed by a cocktail party at a later date at Palatial Estates. Both functions were well attended and contributed to the success of the rush program. The formal pledging program was conducted during the first week of March, followed immediately by the traditional "round" at Nick's.

Phi Delta Phi extends a cordial welcome to its new pledges:

Robert A. Bohrer          William M. Shattuck
Wade R. Bosley           Philip W. Shea
Carol Ann Channell       Stephen M. Sherman
Stephen J. Cloud         Thomas L. Shriner, Jr.
Richard Gole  
C. Philip Graham  
Stephen O. Kinnard  
Thomas N. Leslie  
Connie Lee Loving  
Stephen R. Place  
Gregory C. Robinson  
Frederick J. Seligson  
David S. Sidor  
Benjamin F. Small  
Richard E. Stahl  
John F. Sturm  
Gerald E. Surface  
James C. Toddurud  
E. Nocholas Wade  
Jacob M. Yonkman

PAD NEWS

Phi Alpha Delta sponsored an open Lecture/Demonstration of the "Breathylizer", by its inventor, Dr. Robert Borkenstein. The machine is used by law enforcement agencies throughout the nation and extensively in England, to test the alcohol content of a person's breath. Its primary use is in traffic enforcement aiding in determining whether a person is in the category of "legally drunk". Several persons were tested on the Breathylizer during the demonstration. With Indiana's newly adopted "implied consent" law, PAD feels that a knowledge of the machine and how it works will be valuable for future lawyers. Dr. Borkenstein presently is Chairman of the I.U. Department of Police Administration, and is an internationally recognized expert on alcohol and its effects on traffic safety.

PAD just finished sponsoring its "Police Relations Program" for the semester, whereby members of PAD accompanied Indianapolis Police Officers on their regular tours of duty. The program was designed to enable PAD's to better understand the police - how and why they act and react, the problems they face, and what legal determinations they must make during their work. The program was quite successful and received excellent cooperation with the Indianapolis police. A similar program has been started in Bloomington, and both are expected to be continued this summer and next year.

The fraternity initiated 34 men into its brotherhood on 29 April 1970, in the Monroe County Superior Courtroom. Assisting in the ceremonies were District Justice, Webster Brewer, an Indianapolis attorney, and alumni brothers Dan Hopson, Jr. and F. Reed Dickerson.

Phi Alpha Delta Initiates

Phillip I. Adler  
Stephen Backer  
Robert E. Blough  
Samuel A. Bradshaw  
Joseph L. Brownlee  
Arthur W. Fruecltenicht  
Thomas M. Gallmeyer  
Robert H. Gullick  
William Haynes  
Clifford A. Hollecan  
Robert D. Kullgren  
James E. McHie  
Lee Pettay  
Thomas L. Pytynia  
Paul C. Raver  
William Replogle  
Richard Shagley  
Sid Sheray  
William L. Skees  
Peter H. Smith  
John Stelle  
Milton R. Stewart  
Lloyd B. Thompson
STUDENT-FACULTY AD HOC COMMITTEE ON GRADES AND FINAL EXAMINATION PROPOSAL

All Juniors and Seniors shall have the option of taking one course, other than a research seminar, Pass-Fail every Fall and Spring semester.

Mechanics:

1. A student may elect the option by notifying the recorder anytime prior to the end of the sixth week of classes.

2. A student who receives a grade of C or above, will have a Pass recorded on his official transcript.

3. The mark Pass does not affect the student's grade point average.

4. A student who receives a grade of D+ or below, will have a Fail recorded on his official transcript subject to an option provided in # 6.

5. The mark Fail does not affect the student's G.P.A., but the student will not receive any credit for the course.

6. A student who receives a D or D+ in the Pass-Fail course may elect to accept the letter grade rather than receive a Fail, in which event, the D or D+ would count in his G.P.A.

7. At no time shall a professor be informed as to which students are taking his course Pass-Fail.

8. All other school regulations not specifically displaced by the above regulations shall be applicable.

Respectively submitted,

Patrick Baude
Richard Boyle
Joseph Brodley
Edward Sherman
Milt Stewart
Stephen Trattner

PRATTER REELECTED TO FACULTY COUNCIL

Harry Pratter was reelected to a two year term on the Faculty Council of Indiana University this month. Professor Pratter during his previous term
on the Council headed a committee charged with redrafting the statewide student conduct code to apply to I.U. students. Professor Pratter has shown a long history of service to both the University and Law School as past advisor to the Student Bar Association and Chairman of the Student-Faculty Committee on Teaching, which sponsored the Student-Faculty Coffee Hour this year.

The Faculty Council is the governing body for all faculty at Indiana University. It has recently been responsible for revising the academic calendar and giving faculty status to departmental teaching associates.

Dean Harvey is the other Law School faculty member presently serving on the Faculty Council.

QUESTIONNAIRE ON SCHOOL CALENDAR

The Faculty Council has approved a new University calendar for academic year 1971-72 and thereafter. The new calendar poses some problems for the School of Law. We would like to enlist the help of our students in resolving these problems. In particular we would appreciate it if each of you would complete the attached questionnaire and return it to either Mrs. Cerni in Room 204A or one of the S.B.A. officers or representatives.

The new calendar provides for completing the fall semester before the Christmas holidays. In order to do this, two adjustments in the current calendar have been made. 1) The fall semester will begin during the first week in September, rather than in the middle of September. 2) The examination period has been shortened to three days from one week. The spring semester will begin in the middle of January, and end by the first week in May. The new calendar provides for semesters of 75 teaching days; the same number provided under our current calendar.

The new calendar, by reducing the examination period to three days, affects adversely our traditional educational program. We have found that we require a minimum of ten or eleven examination days to complete final examinations in all courses without requiring a student to be examined more than once a day. In the past we have provided extra examination days by ending classes a day or two before the rest of the University and by ending exams a day or two late. Under the new calendar we must adopt more drastic measures in order to provide the necessary examination period.

There are three calendar plans that we could adopt. Any of them would provide the necessary examination time and would meet all accrediting standards and minimum state bar certification requirements. Under Plan I, law school semesters would begin and end with the University's. Our calendar would provide for only 14 teaching weeks and 11 days of examinations. This plan reduces the teaching weeks from the current level. Plan II retains the current semester length of 15 teaching weeks and 11 days for examinations. The fall semester would begin the last week in August and end before Christmas. The spring semester would begin the middle of January and end the third week in May. Plan III would begin our fall semester with the University in the first week of September. Fall semester classes would end by the Christmas holiday. Fall semester examinations would be held during
a period after New Years and before the beginning of the spring semester.

The faculty discussed the effect of the new calendar on the School at its last meeting. It believes that there are disadvantages in each plan. It also feels that before an informed choice can be made, it needs information from you about the educational and personal effects of each plan on our students. We would appreciate it if each of you completed the following questionnaire:

1. Do you favor having final examinations before the Christmas holiday or after the Christmas holiday?

Why?

2. Do you favor or oppose shortening the teaching semester from 15 to 14 weeks?

3. Do you favor or oppose beginning the fall semester approximately a week before the University begins (i.e., the last week in August rather than the first week in September)?

Why? Please report any difficulties you envision such as housing, employment and so forth.

4. Would you favor or oppose reducing the length of our examination period, realizing that a reduction might require you to take more than one final examination a day?

5. Which plan do you favor?
SEMINAR IN CONSTITUTIONAL LAW - BAUDE AND BIRMINGHAM

BAUDE: Gobbledygook, ipso facto, first amendment, Dombrowski v. Pfister, a fortiori.

BIRMINGHAM:

STUDENT: Then, sir, are you essentially saying the court is begging the question.

BAUDE: No, and your question itself begs the question.

BIRMINGHAM:

STUDENT: On the contrary, my question itself cuts right to issue, and your response to my question as to whether the court begs the question, begs the question, itself begs the question.

BAUDE: No. There are three distinct issues here: "begging", "the" and "question". "Begging" itself is a constitutionally settled doctrine, see Fenster v. Leary. "Question", of course, is patently obvious as to require no need to discuss the question of "question". Then, "the" is the crucial issue, see 84 Harv. 102, 85 Yale 624, and, a brilliant student work, Note, Risk of Loss and the Uniform Commercial Code: The Unlamented Passing of Passing of Title,13 Kan. L. Rev. 565 (1965).

BIRMINGHAM: If Baude said it, it is right.

STUDENT: Yes, I see that now. What a brilliant analysis.
Millions
what
the
hell
are
you
doing?