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Editorial

Placement

by Jim Todderud

If you seniors looking for permanent employment and you juniors looking for summer clerkships don't have jobs yet it's your own fault!!

There are plenty available. All you must do is meet some minimum qualification standards and follow the instructions of your employer.

One firm that came to our attention even put its office rules in its recruitment brochure, confident the conditions were too good to pass up. They are:
1. Office employees will daily sweep the floors, dust the furniture, shelves and showcases.
2. Each clerk will bring in a bucket of water and a scuttle of coal for the day's business.
3. Clerks will each day fill lamps, clean chimneys, trim wicks. Wash the windows once a week.
4. Make your pens carefully. You may whittle nibs to your individual taste.
5. This office will open at 7 a.m. and close at 8 p.m. daily, except on the Sabbath, on which day it will remain closed.
6. Men employees will be given an evening off each week for courting purposes, or two evenings a week, if they go regularly to church.
7. Every employee should lay aside from each pay a goodly sum of his earnings for his benefits during his declining years, so that he will not become a burden upon the charity of his betters.
8. Any employee who smokes Spanish cigars, uses liquor in any form, gets shaved at a barber shop, or frequents pool or public halls, will give me good reason to suspect his worth, intention, integrity, and honesty.
9. The employee who has performed his labors faithfully and without fault for a period of five years in my service, who has been thrifty and attentive to his religious duties, and is looked upon by his fellow men as a substantial and law abiding citizen, will be given an increase of five cents per day in his pay, providing a just return in profits from the business permits it.

Unfortunately, if you want the job, you're about 99 years too late. These were the actual office rules posted in 1872 by Zachert U. Geiger, proprietor of the Mount Cory Carriage and Wagon Works, somewhere in Kentucky.

Nowadays, if you're willing to tolerate the office conditions and the work load the senior partners pile on, you must find out if your qualifications match the job:

LET'S SEE HERE 4.0 G.P.A., EDITOR OF THE LAW JOURNAL, 1st IN YOUR CLASS, AND S.B.A. PRESIDENT—I'M SORRY BUT YOU DON'T TYPE FAST ENOUGH TO BE A SECRETARY IN THIS OFFICE.
Now, for some serious thoughts about job hunting. There seems to be a general feeling among juniors and seniors, (especially those in the bottom 80% of their class) that too few jobs are available, and those which are don't pay enough or aren't in the right places. It may sound presumptuous to speak of inadequate pay, but many of our students are married and some have children. The economics of the situation prohibit them from accepting jobs which compensate with a combination of "valuable experience" and money.

Dean Harvey has one idea (which he emphasizes is only a theory) about the appearance of a slight decrease in job offers. He believes that when the economy is booming lawyers are swamped with work; ergo, they need help at almost any price. Likewise, when the economy goes crashing into recession or even depression, attorneys are also swamped with work (bankruptcies, etc.) and are in dire need of help.

The problem is, when the economy is in between these two stages, as in 1970-71, lawyers' work loads are lighter and they don't need the extra help as badly. Dean Harvey stresses that this is only one idea. He's not sure things are as bleak as they appear nor will he know until the recruiting figures are compiled.

Could it be that our previous graduates left us with rosy stories of great expectations and we are now faced with different prospects? Therefore leaving us frustrated (and jobless).

Another point of view is expressed by Mrs. Mitchner, our new placement supervisor, who tells us that she has been "... assured by practicing attorneys that many lawyers are desperately in need of clerks and/or junior associates, but are simply too busy to do anything about it. If this is the situation, students must take the initiative; and if the Placement Office can help in the process, it stands ready to do so."

It's not difficult to understand why an attorney who is charging from $25 an hour up, does not feel he can afford to give up a full 8 hour day to interview for one job opening.

Mrs. Mitchner is now trying to open the lines of communication between the lawyers who are in need of help and the students who can give it, but this is no easy task.

Not only do attorneys find it hard to make the trip to Bloomington but most students can't afford the time or the money to travel all over the state, the midwest, or the country on the chance that a firm might have a job for him or her. The jobs are available in most areas of the country for reasonable salaries but what needs to be done now is to pull the students and prospective employers together. One suggestion offered is another mass mailing campaign like Dean Harvey and the Placement Office conducted earlier this year. This time encourage some sort of feedback through pre-addressed post cards. If there is favorable response, the lines of communication will be opened. The costs would be minimal to the students and the firms.

This is only one idea but Mrs. Mitchner said she would be glad to consider any suggestions or help the students or faculty may offer.
PLEASE HELP!

Students who have not yet provided information concerning summer or permanent employment commitments, please complete the form below and see that it reaches the Placement Office. We have no desire to imply that our services were used when, in fact, they were not; but we do hope to provide Dean Harvey with a reasonably accurate picture of the current employment situation for all students. Figures submitted in our report to the Dean will differentiate between the number who placed themselves and those who used the placement service.

NAME

Check as appropriate: ___ 1st year student
___ 2nd year
___ 3rd year

EMPLOYED BY

LOCATION

DURATION (check as appropriate): Summer only ___; permanently___

NATURE OF EMPLOYMENT

Thank you!

(Mrs.) Ann Mitchner
Placement Supervisor
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Constitutional Rights Organization

Students and faculty were impressed by the amount of interest expressed on February 12, 1971, when the law school's Constitutional Rights Organization was founded. Known as "Sherman's Raiders," the group will be working on a brief bank, job placement, and work for the student lawyer. The organization is headed by five students and advisers Sherman and Getman.

It is hoped that the projects will lead to clinics or independent research in the future. The group plans to bring speakers on civil rights topics to the law school. Anyone interested in further information should see an adviser or a member of the group.

School of Law
Guidelines for Establishing Calendar

The 1971 Summer Sessions Committee acting as a Calendar Committee adopted, or adhered to, permanent guidelines listed below in establishing the new calendar for the academic years 1971-72 and 1972-73:

1. Pursuant to faculty action, examinations for the fall semester are to be completed before Christmas holidays.

2. Pursuant to University policy, the fall semester should end no later than December 22 of each year to allow reasonable travel time for students.

3. The committee adopted the policy whereby a regular semester shall consist of not less than sixteen (16) weeks exclusive of vacation, orientation and registration periods. The semester shall consist of fourteen (14) full weeks of classroom instruction and two (2) full weeks for examinations including reading days, if any.

4. The committee adopted the policy to start the spring semester as late as possible and still provide a reasonable grading period between end of examinations and University Commencement. This later starting date will provide more time for grading fall semester examinations which are administered before the Christmas holidays.

5. The committee adopted the policy that classes will be conducted on Labor Day each year when classes for the fall semester start prior thereto.
6. The Assistant Dean for Administration was instructed to schedule examinations in courses with heavy senior enrollment as early as feasible in the spring semester examination period. This will enable these examinations to be graded and grades reported for graduating seniors.

Due to the "squeeze" of the transition period between end of 1971 Summer Session and the 1971-72 Fall Semester the following transition guideline was adopted:

The 1971-72 Fall Semester exam period will be two (2) days less than two (2) full weeks. There are, however, two Sundays within the examination period and this should provide additional study time.

General Comment

Regular semesters will now consist of fourteen (14) weeks of classes and two (2) weeks for examinations. The current semesters consist of fifteen (15) weeks of classes and ten (10) days for examinations. The change results in an overall reduction of three (3) days of length of the semester.

In the fall semester, classes meeting during the first part of the week will meet (on the average) three (3) more class periods than those "blocked" during the last half of the week. As an example, for the 1971-72 fall semester classes will be conducted on the following number of week days:

<table>
<thead>
<tr>
<th>M</th>
<th>T</th>
<th>W</th>
<th>TH</th>
<th>F</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>15</td>
<td>14</td>
<td>13</td>
<td>13</td>
<td>13</td>
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</table>

For the 1971-72 spring semester, there will be fourteen (14) class days for each week day with the exception of the morning classes on Founders Day.
### Enrollment Registration

<table>
<thead>
<tr>
<th>Classes Begin</th>
<th></th>
<th>1st 5 week</th>
<th>2nd 5 week</th>
<th>11 week</th>
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<tbody>
<tr>
<td>8 week</td>
<td>June 14 M</td>
<td>June 14 M</td>
<td>July 20 T</td>
<td>June 14 M</td>
</tr>
<tr>
<td>1st 5 week</td>
<td>Aug. 9 M</td>
<td>July 19 M</td>
<td>Aug. 23 M</td>
<td>Aug. 23 M</td>
</tr>
</tbody>
</table>

### Summer 1971

- **Enrollment**: June 11, 12, F,S Arr.
- **Registration**: June 14 M
- **Classes Begin**: 8 week
- **Exams End**: Aug. 9 M
- **1st 5 week**: July 19 M
- **2nd 5 week**: Aug. 23 M

### First Semester 1971-72

- **Orientation (1)**: Aug. 26-28 Th-S
- **Enrollment (2)**: Aug. 27,28 F, S
- **Registration (3)**: Aug. 27,28 F, S
- **Classes Start**: Aug. 30 M
- **Labor Day**: Classes
- **Thanksgiving Recess (After classes)**: Nov. 23 T
- **Classes Resume**: Nov. 29 M
- **Classes End**: Dec. 9 Th
- **Exams Start**: Dec. 11 S
- **Exams End**: Dec. 22 W

### Second Semester 1971-72

- **Enrollment (2)**: Jan. 14 F
- **Registration (3)**: Jan. 14,15 F,S
- **Classes Start**: Jan. 17 M
- **Spring Recess (after Classes)**: Mar. 11 S
- **Classes Resume**: Mar. 20 M
- **Founders Day (a.m. only)**: ?
- **Classes End**: Apr. 29 S
- **Exams Start**: May 1 M
- **Exams End**: May 13 S
- **Commencement**: May 22 M

### Summer 1972

- **Enrollment**: May 26, 27 F,S Arr.
- **Registration**: May 29 M
- **Classes Begin**: 8 week
- **Exams End**: July 24 M
- **1st 5 week**: July 3 M
- **2nd 5 week**: Aug. 7 M
- **11 week**: Aug. 21 M

*Beginning students will enroll on June 10, 11 F, S

### Second Semester 1972-73

- **Enrollment (2)**: Aug. 25, 26 F,S
- **Registration (3)**: Aug. 25, 26 F,S
- **Classes Start**: Aug. 28 M
- **Labor Day**: Classes
- **Thanksgiving Recess (After classes)**: Nov. 21 T
- **Classes Resume**: Nov. 27 M
- **Classes End**: Dec. 7 Th
- **Exams Start**: Dec. 8 F
- **Exams End**: Dec. 21 Th

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1. Dates of orientation for first year students. Subject to change.
2. Enrollment at the law school pursuant to law school regulations.
3. Registration coincides with registration for the rest of the University.
or The Eye of the Storm by Bruce Wackowski

Suddenly politicians and newsmen are quizically interpreting the great "rest" on campuses across the nation. Why are they so quiet? Is it the eye of the storm? Perhaps, but not for the reasons many believe, i.e., the winding down of the war disarming the New Left of its major consensus issue. The present quiet appears to be of a much subtler source.

Given that the political climate and the major issues sparking New Left action, such as the Southeast Asian War, racism, pollution, poverty, the draft, and myriad deprivations of freedom based on irrational and de-humanizing justifications, basically remain unchanged or have worsened through the passage of time, why the apparent acquiescence? I believe what exists now is not complacency among the former alienated, but the camp division into the militants and mutilateds.

The New Left has always resembled a structure of alphabet blocks—each carrying its individual legend, yet forming a temporary message when faced with local or national idiocy in its most serious and blatant forms, for instance an invasion that claims not to widen a war, or the appointment of a bean-bag champion to the Supreme Court. While this lack of organizational structure had its advantages in fostering participatory political and social action and keeping paramount individual dignity over ideological dogma, its drawbacks become apparent when it deals with the computerized society on its home court. It was this sudden realization that rocked the protest movement on its heels, a large portion of which was politically unsophisticated despite its obvious good intentions. The idea that good motives can be mass-mediaized, Madison Avenueized, and just plain ignored to death (evidently) didn't occur to many. Discouragement deadened the previous active disaffection and created the group I previously referred to as the mutilateds.

The mutilateds, unsatisfied with mere issue confrontation which has now grown boring (or worse--hopeless when it failed to lead to instant victory of good over evil) have gone their separate ways, so that it will take God knows what cataclism if ever the twain shall meet again. Some have apathetically rationalized their previous temporary insanity and are lining up for the goodies being churned out, sweaty palms upward with materialistic anticipation. Others are, in the words of the Fugs, "doing deep-knee bends in the void," taking care of the other world while letting this world muddle along on its own, maintaining an imperious indifference to the destiny of mere mortals. The large body of the mutilateds, while
still concerned with contemporary life on the space ship earth, don't know which way to turn. The New Left has always had factional spokesmen aplenty, but the disorganization caused no spotlight to fall on one champion. The vultures of the political establishment just don't carry the commitment necessary to mobilize this group and they know it. (Can you really see Ed Muskie as the new muckraker?) Considering the average politicians shotgun-blast issue formulation and his disregard of all viewpoints left and right of center in an appeal to the artificial majority, opportunities to currently establish a permanent working relationship with the political structure are small. This is especially true at the present time when establishment politicians are running the gambit between negative infinity and zero on the political spectrum. Considering the confusion among its own ranks, the mutilateds have only one type of spokesmen to turn to in the New Left, and that is the militants. While many of the mutilateds are repulsed by the rhetoric and violence of the militants and are burning the bridges between themselves and their former New Left allies—some even being driven sheepishly into the fold of Middle America (a state of mind, not of country)—others may in time join their ranks on the reasoning that the "enemy" is more insidious than previously anticipated and escalation is the only alternative to life in the moral ghetto.

As for the militants, Theodore Roszak says it all in The Making of a Counter Culture "... cheers for the fiction of the 'peoples' war' are becoming more prominent in the United States too, as frustration with the brutality and sleazy deception of the establishment grows. The tragic search may be on again among radical dissenters for ways to 'make murder legitimate' as Camus phrased it—and with this tendency, the New Left runs the risk of losing its original soulfulness. For the beauty of the New Left has always lain in its eagerness to talk openly of love, and non-violence, and pity. It is, therefore, depressing in the extreme when, in behalf of a self-congratulatory militancy, this humane spirit threatens to give way to the age-old politics of hatred, vindictiveness, and windy indignation. At this point things do not simply become ugly; they become stupid." The militants are being lulled into a false sense of unity which the New Left lacked, because of the tighter ideological boundaries they have drawn their local organizations into, while still remaining disjointed cogs on a national scale, perpetrating senseless little atrocities of only negative political significance. They are making what French students commonly refer to as "daddy's revolution," and in the unlikely event that they form a nationally united front, you can bet daddy Joe will be on the front line waiting gleefully to get in his target practice."

My suggested path through this swamp must be predicated with an acknowledgement of my own bias in favor of non-violence, not only as the most effective mode of incurring revolutionary change, but the only method able to turn around a world community which accepts systematic elimination of human needs, human spirit, and human beings for petty motives cloaked in shabby, guilty rhetoric. You do not turn the world around in the span of one political campaign or even many political campaigns. Neither do you do it by branding those who differ from you in most picayune detail or most wide gulf of ideas as enemies less deserving of existence. Neither must you become paranoid, nor lose your sense of humor. You must not hunt out devils, be they political parties, occupations, economic systems, or individuals, and place the entire blame solely on their shoulders.
Such tactics are self-defeating since no one nor group is responsible or can be responsible for everything. Arm yourself with as much intellectual competence as is available; righteousness alone is always hypocritical. No matter how much organization is necessary, never lose your own individual sense of dignity and worth—it assists you in recognizing it in others. Above all, avoid physical violence upon other human beings. If your victory is a violent one, only the names will be changed to protect the guilty in the new order. As Lao Tzu says, you should, "Conduct your triumph as a funeral." The mulilateds who are still concerned with the state of the world need not be programmed into a fighting machine that will change the world "by the numbers." The way to do, is to be.

"US v. THEM": IT NEED NOT BE

by Joel Mandelman

Last month the Association of American Law Schools completed a report on the state of the law school. The study analyzed the strengths and weaknesses in the School's structure. The primary problem, the AALS reported, is the poor relationship existing between the Law School and the State Bar. The School's other problems are directly or indirectly attributable to this.

The following suggestions are offered by me as a starting point from which to improve this relationship. While some may be viewed as ends in of themselves, all have the ultimate goal of improving our relations with the Indiana State Bar.

First, the curriculum committee recently released a report recommending drastic changes in the first year program. A number of courses regarded in almost all American law schools as essential are to be dropped or modified. Without passing on the merits of the proposals, it seems that little, if any, thought was given to the reaction of the Indiana Bar. It seems foolish not to involve members of the Bar in this project—from its inception. Copies of the Report should be circulated all over the State, for comments and suggestions, now. In fact, it might be a good idea to have several members of the Bar work with the Committee. Students were included on the committee. Why not our future employers as well? It is not difficult to imagine what the Bar's reaction will be if these proposals are suddenly sprung upon them, without prior consultation. Moreover, involving them in the project will give the bar members a feeling that they are involved in the success of the Law School, a feeling which can only benefit the School.

A second suggestion is that serious thought should be given to devoting one issue per year of the Law Journal to a survey of current developments in Indiana law, with articles written by leading members of the State Bar. If necessary a fifth issue of the Journal should be instituted. Such a project would be of great benefit to Indiana, and would be an excellent way of letting both the Bar and the Legislature know that we aren't in Bloomington simply to bedevil them.

Similarly, a legislative reference or drafting service, operated as a clinic program, and run along lines similar to the program at Harvard should be considered. Such a project could be of real service to the State, and again would serve to strengthen ties between the Bar and the Law School.

In another area, the AALS Report commented on the excellent assistance received from the School by our Board of Visitors. Why not print the names of the
Board members in the Law School catalog. It would be a well deserved and costless form of recognition, and would also serve to emphasize the ties between the School and the rest of the State.

Similarly, the second year moot court program ought to be expanded, with prominent members of the State Bar and Judiciary given the opportunity to service as judges, for either the oral arguments or of the briefs. This has a two fold purpose. First it gives these individuals and their colleagues an opportunity to get to know the School better, and to feel that they are helping the development of future members of the Indiana Bar. Secondly, if adequate publicity is given the competition, it can serve as a form of public recognition as well.

The Report also indicated that there wasn't enough inbreeding among the faculty, that an exceptionally large percentage of the faculty came from out of state. It might be a good idea to invite several members of the Bar to serve, on a rotating basis, with the Appointments Committee. This need not compromise the independence of the faculty in making appointments. It is intended only to create a conduit whereby qualified Indiana lawyers might teach in Bloomington, even if only on an adjunct basis. This would both add an additional dimension to the faculty while at the same time serving to dispel some of the misconceptions that seem to exist concerning the Law School's aims and policies.

The awards committee should consider the judicious granting of honorary SJD degrees to prominent members of the Bench and Bar. This should not be looked down on as giving away degrees or lowering standards, but merely as a well deserved form of recognition. Most major universities do it every June, and no one thinks any the less of them for it.

The AALS Report also indicated that there wasn't sufficient contact between the Faculty and law firm recruiters. Taking law firm partners and associates to lunch should not be looked upon as an onerous chore. Its an opportunity for the Bar, both in Indiana and elsewhere, to get to know us better, to understand what we are doing and why. The School, or the University, should provide a regular budgetary appropriation to cover the cost.

The overall goal should be to convince the Indiana Bar that they have a stake in the success of the Law School, and that the Law School has interests in common with the State, that is, after all, paying our bills. If we do this, we would find that the Legislature, and the State Bar be far more willing to give us the things that we want: more money, lower tuition, a new building, diploma privileges, etc.

The good will it is hoped these proposals will create won't be created overnight. Too many misunderstandings have occurred for that to happen now. But failure to reverse the trend will be at the Law School's peril in years to come.
THE ADMINISTRATION AND PUBLIC LEGAL SERVICES

The growing popularity of public legal service indicates a trend that will benefit the poor more than ever before. This increased interest in legal aid, however, is competing with a greater interest in "crime control." Those governmental and administrative power pockets that control the directional flow of the law in America find it unprofitable and irritating to allow legal aid to operate. The activity of various legal aid groups is chipping away at bureaucratic power and the administration is attempting to impound legal aid's tools.

Unlike public legal service organizations of the past, groups such as the California Rural Legal Assistance Agency (Cal. Rural), the Norwalk-Stamford-Danbury Regional Legal Services Inc., of Connecticut, "Nader's Raiders", NAACP Legal Defense Fund, and OEO's Legal Services are boldly entering the legislative arena and challenging with success inequitable laws.

For example, in Connecticut, Regional Legal Services, Inc., drafted and pushed to enactment fair rent ordinances. The New Haven Legal Services has challenged the Connecticut State Court's refusal to permit indigent plaintiffs to proceed "in forma pauperis" in divorce cases. The case is now before the Supreme Court.

The class action approach has met with success in California. Cal. Rural won a class action that struck down the requirement of 90-days separation before a wife could receive welfare. Cal Rural has also obtained a Federal court order requiring California to extend the Food Stamp program to 58 counties, heretofore excluded. Cal Rural has also managed to convince the courts to strike down the practice of arbitrary eviction and termination of welfare benefits.

There are a number of programs, lawyers, law schools, and students working in the field every day collecting information relevant to lower class communities. Thousands of ghetto folks are unfairly prosecuted, denied bail, and subject to unconstitutional indignities. Recently four black students driving through Dallas on their way back to the University of California at Santa Barbara were stopped by policemen and arrested for "suspicion of armed robbery". After finding guns in the trunk, the policemen dropped the original charge, and the four students, three of whom were on the honors program, the other a varsity athlete, were accused of "carrying prohibited weapons." After finding out the guns were duly registered in California the cops then claimed to have found marijuana in the car. The students were brought to trial before an all white jury. 16 blacks in the panel of veniremen had been dismissed by preemptory challenge. All four were found guilty and sentenced to a total of 21 years in prison. Yet there are those who maintain the police need more "crime control." What kind of "crime control" are they talking about?

OEO's Legal Services are actively engaged in researching and defending persons like the students in Dallas. With 850 offices, staffed by more than 2,000 lawyers, OEO's Legal Services has handled cases concerning landlord-tenant relationships, welfare disputes, consumer fraud, employment problems, and controversies with government agencies. Opponents of legal services argue that the government shouldn't use tax dollars to subsidize attacks on government agencies.
However, the crux of the matter goes to the simple fact that, traditionally, government agencies have been immuned from criticism and attack and now must defend their decisions. This irritates government officials, hurts their feelings, and challenges their competency and power. Moreover, OEO's Legal Services has been successful in 70% of their cases and this factor more than anything motivates the establishment to crush what they term as insolent and outrageously audacious activity.

This opposition to Legal Services resulted in the introduction of S.3016 by Senator George Murphy in the fall of 1969. The Murphy Amendment would have given absolute veto power to state governors over Legal Service activity. Due to the efforts of the ABA, 50 state and local bar associations, and the National Commission on the Causes and Prevention of Violence the bill was rejected in the Senate House Conference Committee.

Financially however OEO Legal Services, like other domestic programs under the Nixon regime, are suffering. Even though the Legal Aid budget has jumped from a pre-1964 level of $4,300,000 to $55,000,000 in 1969, a greater amount of funds are needed. Realizing this need Legal Services turned into Donald Rumsfeld, OEO director, a budget request of $90 million which was cut to $61 million. This will obviously hurt legal services, in that there are more clients and a greater amount of research to be done than ever before, but yet the budget is cut.

The "Oklahoma Plan", a scheme devised by Rumsfeld, would've transferred control of OEO programs out of Washington and into the Governor's offices. This was the goal of the defeated Murphy Amendment. Realizing the danger of implementing what Congress rejected, Rumsfeld didn't follow through.

Rumsfeld, however, devised a more subtle and equally disastrous plan: placing control of Legal Services in the hands of OEO Regional Directors. Of the 10 Regional Directors, handpicked by Rumsfeld, only two are lawyers. In all probability these Directors would not have the commitment and Legal Services would severely suffer.

Despite loud opposition to Rumsfeld's plan, Legal Services is feeling the affects of Nixon's "benign neglect." Two top officials in Legal Services were just recently fired and replaced by "moderates."

The Nixon Administration's opposition to programs that help the poor and oppressed is really no surprise. The present emphasis on "law n' order" leaves no room for a little justice.

The Law Enforcement Assistance Agency, a fast growing division of the Justice Department, is a good example of where the administration's support is really being placed. Created by the Omnibus Crime Control and Safe Streets Act of 1968, LEAA was originally designed to improve the system of criminal justice. Today it is a "pork barrel for the pigs" (police). The budget of LEAA has soared from $63 million in 1968 to $480 million in 1971; with 1.15 billion and 1.75 billion promised in '72-'73.
LEAA is controlled by the states and directed by the son of a former HUAC chairman. Excessive amounts of money are given to organizations like the Mississippi Highway Department and the South Carolina State Law Enforcement division. These states haven't exactly been over-zealous in seeking equal protection under the laws for their citizens.

Funds have been appropriated for everything from first-aid kits and typewriters to squad cars, guns, and uniforms. National data banks and the latest in electronic surveillance devices are being entrusted to anti-libertarian types and unbalanced characters.

Meanwhile, young lawyers are finding public legal service challenging and effective. "Wall Street" firms are feeling the pinch. Even though $15,000 is tempting, many graduates are reluctant to face two or three years in the back room of a firm while establishing seniority or gaining experience. Many search for forums of action; where real live people need advice for pressing legal problems.

Legal aid therefore will increase with or without government's help. Without financial assistance, however, difficulties will continue. The double standard of justice still exists. The rich get away with murder while the poor are sent to prison at the drop of a hat. Repression increases and legal aid for the poor is being squelched. If OEO's legal services can survive until 1972, maybe America will give Nixon his walking papers and elect a new administration that will reflect the needs of contemporary times.

A ROUTINE NIGHT

by Bernard Mogilanski

Some call him Pig.

To others, he is the saviour of the Republic.

He is neither. He is merely a human being doing his job—officially working from eleven in the evening until seven in the morning, while families sleep peacefully in their warm homes, secure, awaiting the new day, generally unaware of what is occurring on the streets.

Patrolman Michael Mattingly of the Indianapolis Police Department is an average cop: young, handsome, and very professional—one who knows what his job is and does it well. I had the pleasure of riding with him on his shift one drizzly Saturday night recently, as part of a program instituted between the Indianapolis Police Department and one of Indiana University Law School's legal fraternities, Phi Alpha Delta (PAD).

We spent our time cruising central Indianapolis, responding to calls ranging from a five-car traffic accident, to the processing of a fairly intoxicated young man who, after rapping his car into a private yard, decided to slug it out with the apprehending officer. Nothing special, just routine, helping the public—a night's work.
Officer Mattingly and I spent much of our evening seeing the results of specific human failings—a 'hot-rod' attitude causing a multi-vehicle crash, a drunk who tried to make a pass at his girl-friend and drive at the same time (and lost on both counts), and the numerous radio calls—countless holdups, burglaries, a young teenager with enough pornography in her trunk to open a chain of stores, etc. The list is endless for a police officer.

When the report of the high-speed chase came on the air, I looked at Mike Mattingly to see his reaction. Would there be visible signs of apprehension for his fellow officers who could be killed or injured in the pursuit, or shot at when they finally stopped the car? There was no outward reaction. My companion seemed to be used to such escapades—danger is nothing new for a cop—they live with it. And sometimes they die with it, these good men.

I must express my admiration for Officer Mattingly, the Indianapolis Police Department, and for the men like them all through this great land. Men who face danger at every turn, uncertainty at every call. As a future attorney, I wanted first-hand to see how these men operated. I did just that, and I'm glad. The Michael Mattingly's of the United States are doing us an immense service. The sooner we as citizens realize just how immense, the better off we'll be as a nation. These men who continually risk sniper fire, a bullet from an alley, harassment, and abuse; these men with families who live with worry because some ignorant jackal with a rifle and a slogan may take "social change" into his own hands; I salute you all, gentlemen.

Oh, by the way, Mike stayed at headquarters an extra hour beyond his shift to complete his written reports for the evening.

Human beings doing their job for us all.

A routine night. Pigs???

Editor's Note: This essay appeared in the Nov. 4, 1970 issue of the Columbia Law School News and was written by Elliot L. Bien. The following is an edited version.

Training Lawyers
v.
The Study of Law

Consider with me how the Law School has defined its function in society. Then, from your own vantage point, evaluate the effects of that definition in and on what is perhaps erroneously called "legal education."

The Bulletin (Columbia Law School) puts it succinctly but fully: "The Primary objective of the School of Law is to train men and women for the legal profession in all its aspects." (p.8) This remarkably pregnant statement must first be taken as the statement of a desired result. "To train ... for the legal profession" means to produce lawyers, just as "to train for the medical profession" would mean to produce doctors, and "to train for the military profession" would mean to produce soldiers. In each case it is an end produce
(dare I say "finished" product?) that defines and explains the training program.

Now in our case, the end product is a lawyer; more precisely, it is a lot of lawyers, a graduating class of them. But what distinguishes a lawyer from a non-lawyer, since non-lawyers do in fact assume some of the social roles lawyers assume? Clearly, it is the lawyer's mastery of the sources and processes of the law in his jurisdiction. Lawyers make their livings by offering on the market their knowledge and ability in dealing with or anticipating the actions of official bodies. "To train . . . for the legal profession" means to produce people having such knowledge and ability. That production is said to be the "primary objective" of the School of Law; I certainly agree.

What happens to students who actually become interested in the law? To me, that question is the beginning of understanding of the severe limitations of the current definition of the Law School's function. Anyone interested in studying and thinking about the law is not likely to be satisfied with merely being trained for lawyering.

Assume, as we must, that most of the people who enrolled here did so because they imagined they wanted to practice law. (That assumption holds for myself.) At a different time in history, those people would have sought an apprenticeship with a lawyer or firm. They would have learned a job—a rather bookish job, to be sure—by what we call today "on-the-job training." In our time, however, those people come to great universities where, in order to become lawyers, they attend classes for three years in buildings as impressive as their universities could provide. Being where they are, doing what they're doing, they might even think of themselves as "students." I submit that such a term is inapplicable, however, for a training center. What is a "student" of the law?

Judges are in the main people who have been lawyers. But judges are felt or hoped to be possessed of something called a "broad perspective" when they come to decide cases. Now where were they expected to come by this quality? Wasn't the "primary objective" of their law schools to impart to them the knowledge and abilities that distinguish the lawyer from the non-lawyer, i.e., the tools of the legal trade? With law schools busying themselves producing lawyers, perhaps judges' "broad perspective" is meant to be picked up in their spare time, or perhaps in some correspondence course.

I stress the role of the judge because more than any other lawyer, he is thought of as a "student" of the law in his professional capacity. While lawyers spend their time doing "research" for clients (isn't it really documentation?) and arguing for one outcome rather than its opposite, the judge is pictured as seeking the "right" outcome. By definition his perspective must be broader than either advocate's and, indeed, than that of both together. Is being a "student" tied up with having a broad perspective on one's subject matter? If so, shouldn't law school be a place for students, rather than just trainees?

"Broad perspective" is by now crying out for clarification, though we have hazarded the notion that it has something to do with being a student, rather than a trainee or practicing lawyer. I would deny to no one, I suppose, the right to be trained to be a lawyer. But listen to what the great popularity of the "clinical courses" is saying. Listen to what the boredom of the second and third year classes is saying. Are three years of being trained in one area of the law after another deserving of the space, let alone the time and attention?
If law school is to be defended as a training program, one year is surely sufficient to train for legal reasoning, writing and "research" to an adequate degree. After the first year, though, a decent training program would rely perhaps exclusively on "clinical" work, that is, on giving experience in functions that our lawyers-to-be may be performing. Supervision of all those functions under the same roof is simply indefensible. Judges, prosecutors, firms, agencies, etc., could all train us immeasurably better for their respective functions than the School of Law does—and they would all benefit greatly from the assistance we could provide them while being trained. Voila! The logic of apprenticeship is irrefutable...if indeed law schools are to be defended as training centers.

The alternative to a training center is a learning center. Some co-existence may be possible, but let us first understand the poles. It has everything to do with the breadth of perspective. A trainee "for the legal profession" must master that which gives him a job: the sources and processes of the law in his jurisdiction. That means, by and large, cases, statutes, rules of procedure, perhaps a smattering of "name" law review articles. That is the proper regimen because those are the things which move courts and other official bodies.

Now the student of law may want to study everything the law trainee uses, and therein lies the possibility of co-habitation. But the law student will probably look far beyond those things as well. He may want to study other legal systems and other societies—or facts, theories and problems of human experience in his own society that place the legal institutions in larger perspective.

What other things? That will depend entirely on his interests and curiosities, and on his view of the nature of that larger perspective in which he is thinking about the law. The law student could be thinking about the law in ways that should not sound particularly strange to you: philosophy, sociology, political science, economics, anthropology, psychology, biology... These disciplines have crucial things to suggest to anyone thinking seriously about the law. Ignoring them or downplaying them at law school commits us to a lawyer class with the "technical" or parochial view of their subject matter: the law and the society. One should think that even the law trainees ought to become students. But can they here?

What is the lot of a student of law in a lawyer-training center? The Bulletin tells him that the School intends to do something to him, or perhaps at or with him. The School is said to have an "objective" in its dealings with him, after which follows a transitive verb: It wants "to train" him to become a lawyer. But the student of law isn't interested in having that happen to him. Well, the School might reply, he can still be a student if he wants, and thinks about the law to his heart's content.

But the School doesn't live up to that promise. Most of the faculty are lawyers themselves, and in all good faith conceive of their job as...yes, of course, training lawyers. There is a constant emphasis on the "junior partner" or "associate" perspective towards the material. How much rein does that allow for other perspectives? "Senior partners" for whom the trainees are training to work are not known for their tolerance of wide-ranging analysis or exploration of non-legal sources. And the "associate" perspective appears with some frequency in examinations, that institution praised by honest men as a learning experience.

Class time is effectively monopolized in most courses by strictly legal sources and lawyers' uses thereof. And what of the very fact that most of the faculty are lawyers? Does not that tell the student of law (and wavering trainees)
that the School primarily values lawyers? In fact, the function of "teaching law" is given only one meaning: There is a dominant image to a training center, which develops not so subliminal pressure to conform with its concrete demands. It is an image rather inhospitable, in sum, to a student of law.

Where do we go from here? I spoke of the possibility of co-existence, of an accommodation of two definitions of a law school's function in society. The present definition: a training center of lawyers, by lawyers, for lawyers. An alternative definition: a learning center, where students can study the law from broad and varied perspectives.

Let me offer in conclusion what I would consider to be a minimal program of accommodation, or steps to be taken to make this training center meet a more enlightened sense of responsibility to the law and the society. These are steps that to me are mandated if the Law School is to deserve the use of its building in a university ostensibly devoted to learning. First and foremost, it must increase its expression of value for the study of law in the larger sense. It must indicate in its hiring practices that there are questions of legal consequence to which lawyers by profession are not best equipped to address themselves. That could also be accomplished by cross-listing in the law school catalogue many courses in "related fields" that students of law might want to take.

In currently offered courses, more time must be devoted to non-legal sources and considerations; and a dual system of examinations (or evaluations) could be administered to trainees and students separately. Professors giving seminars on broadly interesting topics must not feel compelled to limit their scope to legal materials and lawyers' questions. In short, the School must cease to accord exclusive rights to the image and function of training lawyers; it must satisfy some of the needs of those who want "merely" to study the law.

I have used the language of demand ("must") because the current definition of the law school's function is failing too many people. Primarily, it is failing a society desperately in need of students of law; training centers are simply not producing enough people who are thinking about and criticizing the law.

The training center mentality also fails those scholars who do have a broader perspective towards their function; they are seen as trimmings rather than essentials. It is certainly failing the student of law. And it is even failing the law trainee himself; they could be much better trained through apprenticeship—and I challenge our trainers to deny that learning is vastly more stimulating than being trained.

May I leave with you this thought: the current definition of the law school's function benefits only the "senior partners" of our society—they who least need any help.
**INTERVIEWS**

PHYLLIDA PARSLOE: VISITING PROFESSOR

Phyllida Parsloe, a professional social worker, is a visiting member of the Law School faculty on special leave from the London School of Economics. Lecturing and sitting in on classes, Miss Parsloe's main objective is ascertaining what a social scientist and social worker can contribute to legal education. In accomplishing this objective her work has included such areas of study as that of the relationship between lawyers and social workers and what one can expect from expert witnesses from a psychiatric point of view.

In examining the underlying values of lawyers in comparison to the values of the social worker she is interested in whether the personal values coincide with professional values and the difficulties involved in judging people. In connection with her studies a questionnaire was distributed to first year students which may provide some indication as to why students enter the legal profession.

Serving as a probation officer in the Juvenile Clinic through Mr. Hopson affords contact with the juvenile delinquents in the Bloomington area but also an opportunity to discuss with law students the treatment of juvenile delinquents.

As a supervisor in the clinic in legal education meetings are conducted with the group leaders of the procedure groups to discuss teaching methods and group dynamics. Such methods as video taping are used to visualize the problems in handling small groups. First the decision is made as to what they want to accomplish and then how they might achieve these goals. With a background of work in group therapy and actual application of theory Miss Parsloe recognizes the need to stress more practical legal work.

The students she has taught in the London School of Economics generally spent at least two days per week working as social workers. The size of her classes was extremely small thus conducive to a more personal relationship between teachers and students. The students were treated as individuals playing an important role in planning their work and developing their own interests. By offering a choice of a variety of exam questions the student could write the exam in his area of concentration making for a less authoritarian teaching method.

Commenting on the social programs she has encountered Miss Parsloe voiced her approval of CAP particularly that aspect which calls upon the participation of receivers. This not only promotes understanding but through participation a kind of dignity is acquired.

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NEW PLACEMENT SUPERVISOR

Mrs. Ann Mitchner recently took over as the new Placement Service Supervisor on February 15. Her career includes a long association with the legal profession as well as with Indiana University.

For the past five years Mrs. Mitchner had been secretary to Dr. Joseph L. Sutton while he was Vice President and then President of Indiana University. Her associations with the law include such positions as Executive Secretary to the Chief Counsel of the New York State Crime Commission, Clerk/Secretary to a Judge of the Appellate Court of Indiana, substitute Monroe Circuit Court and Grand Jury reporter, secretary to local attorneys, including a Prosecutor and a State Senator.

Mrs. Mitchner attended Drury College, Springfield, Missouri, and has published short fiction and plays. She is a member of Theta Sigma Phi, a professional honorary for women in journalism. Her association with Indiana University began when her husband entered graduate school. At that time Mrs. Mitchner was Promotion Manager of the I.U. Press and Assistant to the Editor of the Journal of American Folklore. Her son graduated from I.U. in 1960.

In a recent interview Mrs. Mitchner said she appreciates the welcome she has received from students and members of the faculty and staff of the Law School. She also commented that she will do her best to provide students, recruiters, and all others concerned, with good placement service.

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Choice excerpts from the Michigan Raw Review, April, 1959:

OUR FACULTY

* * *

To one end Bill Harvey e'er waxes
And from it he never relaxes:
The profession's too crowded
So, by issues beclouded,
One in three of the freshmen he axes.

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QUIZ

* * *

Malcom Magnate manufactured a variety of ink eraser guaranteed to allow erasure without damaging the paper. A large quantity was ordered by the Russian National Historical Society to facilitate certain historical modifications which were necessary from time to time. The Red firm defaulted in payment and Malcom went to court. His claim was ____________.

Ans: Red Sales--in Assumpsit.

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NOTE--APPLICATION OF THE NEGOTIABLE INSTRUMENT LAW IN CASES OF VICARIOUS LIABILITY.

Counsel was confronted with the unusual case of a client seeking to determine his liability for the pregnancy of his fiancee for which he claimed no responsibility. The client's defense was that he has only known the girl for one month and she is already three months along.

Counsel's diligence failed to produce any answer from contract law, from the law of domestic relations, or from tort law. However, by chance he remembered the broad scope of his course in bills and notes and after painstaking research on the subject (during which effort he discovered for the first time that there is a difference between a bill and a note), he advised his client that he was in real trouble unless he could produce the responsible culprit.

The basis for his advice was the rule that if the maker cannot be found, the first indorser is liable.
EIGHT REASONS FOR GOING GILBERT'S!

A complaint frequently heard around the Law School is that no one can tell you what makes for a good answer on a law school final. Perhaps an answer can be supplied by showing some examples of what does not.

The following are answers students gave to questions on various New York Bar Exams over the past few years. The answers were originally printed in Volume 18 of the Brooklyn Law Review (1952).

(The questions are irrelevant; the answers speak for themselves.)

1. The answer should be stricken out as a sham and frivolous because it admits all the allegations of the complaint.

2. Confessions are only admissible when made to a district attorney under a promise of complete immunity for the crime committed.

3. If the attorney wants to convey to the jury that his witness has changed his testimony, the attorney can say, with sarcasm, "so you are a witness." This is his only remedy.

4. He is entitled to conjectural damages.

5. It is not hearsay because the conversation was actually heard.

6. In a mortgage foreclosure you do not have to notify the owner of the property at all. You mail a summons. Then notices should be pasted on the walls of the County Clerk's office. That's the way they do it in New York.

7. Testimony that she screamed and groaned was inadmissible. The mother could attempt to reproduce the screams and groans and in my opinion such reproduction would be admissible.

8. The power of alienation can be suspended for only two lives in being ... plus a possible period of gestation (which seems to be geographical—for in some jurisdictions its up to two years); however in New York, its nine months. (At least they can still do something right in New York, Ed.)

Dear Prof. Dan Hopson,

I had a wife and couldn't keep her. What now?

Sincerely,

P.P.P. Eater