Issue No. 18 (September 1971)
The Appeal opens the 1971-72 school year with a comparatively small issue, based perhaps in part on its limited staff, but primarily on the lack of news-worthy events the first few weeks. We contemplated creating our own news: setting fire to the New Zealand Reports, turning off the air-conditioning, kidnapping one of the Deans' secretaries, stealing the cookies from the faculty kitchen, but 1) no one felt the effort was worth it; and 2) who would notice? So next we discussed scandalizing the little events that did happen, like: "Harvey Flees Country after Subversive Charge" or "Supernatural Terrorists Strike Law School Tower" or "Popkin Overthrows Underwood, White Demoted to Basement." Maybe we could have said, "Ice Cream Vendors Poisoning Law School" or "Evidence Book for Sale" (furthering our own ends), or even "Dawson and Harvey Exploited Again" (or is it the other way around?), but this sensationalism characterizes too many other great American newspapers, and it makes for boring reading. So there the Editors sat, nothing new, not even anything old, to write about (Not that the Editor, a Ford owner was about to call The Appeal an Oldspaper, anyway), and our self-established deadline was approaching. So we all decided to print what you will find on the following few pages: gobbledygook! Meanwhile, may we remind the oldtimers and enlighten the newcomers, that The Appeal depends on contributions from everyone and anyone, even freshmen and faculty, for survival. We need your help; after all, we're competing with the "Indianapolis Star."
THE STAFF FOR 1971

Editor-in-chief: John Lobus

Vice Editors-in-chief: Jim Todderud
Andy Thompson
Tom Clancy

Contributors: Bob Lewis
Jim Garretson
Mike Fisher

Faculty Advisor: Philip Thorpe

Founders: Jay Larkin, Stan Levco, Vic Streib, Peggy Tuke

Special Assistance and Sincerest Thanks: Acting Dean D.G. Boshkoff,
The Secretarial Pool

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The Softball Team of Indiana University's Law School
Bob Lewis, player-coach

During the past summer Indiana University's Law School was blessed with its first (to my knowledge) summer intramural softball team. Organized under the direction and leadership of another Casey Stengel, the Lawyers amassed an astounding 4-1 record. Playing such formidable foes as the Wombats, the Maxwell Mets, and No Apparent Defect, the Lawyers courageously met the challenges of all comers.

Despite the 4-1 record though, it was not good enough to get into the university-wide tournament. Only the first place teams of each division could be entered, and the competition this summer was extremely stiff. It cannot be emphasized how much this disheartened the team. From the outset of the season, we knew we had a fairly good team and our chances of making the tournament were excellent. Unfortunately, we did not begin to jell as we should have until the last game of the year. Consequently, all we have to look forward to is next season. In looking ahead to next season, we do have a very bright outlook. Almost the entire team of this year will be back, with a year of experience under its belt.

I would like now to give credit and recognition to the players who contributed to our phenomenal record for a first year team. The most credit should deservedly go to John Knight, who although he did not get any hits and struck out 75% of the time, gave us the inspiration and desire we needed. Without him there is no telling what we might have done. Those who contributed so faithfully to our defense were: Warren Gibson at second base, Paul Mason in center field, Steve Hamlin at first base, Jerry Humphrey at shortstop, and Bruce Pennamped, wherever he played.

We expected quite a bit from the likes of sluggers Wayne Fleming, Mike Huston, and George "Doc" Holliday. However, for the most part their timing was off, so the home run punch had to come from one of those least expected, Jerry Humphrey. With Mike and Doc returning next year, though, we still expect from them that power that they so stingily gave this year.

Since Mike Fruehwald and Jerry Miller were only part-timers, they might not want to share in the "success" of the team. However, our 4-1 record was compiled as a team representing the law school, and all of those who participated in the program, even as a part-time player, must receive recognition.
Our pitchers cannot be forgotten, especially Peter Wright. Not known for his control, Pete averaged three walks per game, along with his earned run average of 15 per game. However, Pete improved with experience and we expect a lot from him next year. Laying all kidding aside, Jim Todderud is really to be commended. Pitching the last game of the year, he shut out our opponent over the last four innings, preserving his own victory and a victory which the team will never forget. It was our only in route to a 4 loss and 1 win year.

Phi Delta Phi

On September 9, 1971 Phi Delta Phi conducted its first initiation of the school year. The following students were inducted into the Fraternity at the ceremony:

Kathleen Buck  
Gregory Carter  
John Chappell  
Thomas Cornwell  
Vivien Gross  
David Kelley  
William Roessler

William Shattuck  
Greg Silver  
Harold A. Sonneborn  
Douglas Van Winkle  
Roosevelt Warren  
Philip Zorn

Professor Leon Wallace, past national president of the fraternity; James Gillespie, president of Province VII; and Nat U. Hill, Circuit Court Judge attended the ceremony. Judge Hill also took part in the Ritual and later spoke briefly about the lawyer's duties to the court.

Afterwards the group adjourned to the Regulator.

Activities planned this Fall are:
Two rush parties - September 21 and 30.
Picnic - September 25 (hopefully featuring a softball rematch with the faculty)
Prison Trips - Early October
Guest Speakers - Late October, or early November

On August 23, 24, and 25, 1971 Phi Delta Phi conducted its 40th General Convention in Toronto, Canada. The two most important changes of interest to I.U. members were (1) Admission of females into the Fraternity, (a subject which has been debated heatedly and stupidly for the past 25 years) and (2) The re-mission of a major part of the $30 initiation fee to the individual chapters for use in service and social functions.
Phi Alpha Delta

The 1971-72 school year promises to be the most rewarding one of all in the short but successful history of Phi Alpha Delta law fraternity at Indiana University. Adams Chapter sports an undergraduate roll of more than 60 members, and is the 1972 host to its district conclave. At its meeting September 8, the fraternity organized committees to begin work on this year's activities.

PAD Conclave

For the first time, I.U. will host the annual regional assembly of seven PAD chapters located through the midwest. To be held in the spring, the conclave will encompass two days of workshops, lectures, meetings, and programs, culminating in a gala banquet dinner, complete with presentations of awards and a distinguished speaker.

Marking the current highlight of Adams Chapter's rapid growth, the conclave offers PAD members an excellent opportunity to exchange ideas, gain experience, and find new areas of fraternal interest, all of which can be used to further the usefulness of the fraternity to our law school.

Heading the committee planning the conclave are Tony Metz and Kathy Hoehn.

Police Ride Program

Phi Alpha Delta is continuing to sponsor the police-ride program in conjunction with the Indianapolis Police Dept. Running from September 22 to October 6, anyone in the law school interested in participating in the program can sign up on the list provided on the basement stairwell. The students will accompany an Indianapolis police officer on his rounds for an 8-hour shift, with choices of times. The participants must appear at the Indianapolis Police Headquarters (it isn't as bad as that sounds) one hour before the scheduled departure. This program offers an excellent opportunity to gain insight into the operations of a police force, and learn about the people who are a part of it, along with the dangers involved. Women are welcomed as well as the men for two of the three shifts, according to Bernie Mogilanski, PAD's Police-ride chairman.
Supreme Court Day

A new program initiated this fall is a trip to the state capital to attend several oral arguments presented before the Indiana Supreme Court. The cases are all criminal appeals, to be argued October 5 at 10 a.m. and October 6 at 10 a.m. and 2 p.m. This would obviously put some life to our school's moot court program, and give the student an idea about what a lawyer faces in a real appellate court. Watch for posters announcing sign up sheets and times. Coats and ties for the men and skirts for the women are required. Kathy Hoehn heads the project.

Friday Night Movies

Another new twist to PAD activities is the movie series. PAD will show several recent feature films in the moot court room, for the enjoyment of the law school students and friends, on assorted Friday evenings this fall. A minimal donation will be expected to cover costs. While there will not be any beer served, there will not be any commercials, either. Watch for posters announcing the first show.

Rush

The fraternity of Phi Alpha Delta opens its doors to anyone interested in joining. Completely indiscriminating, PAD will hold open rush Thursday, September 28, in the faculty lounge at 7:30 p.m. The purpose of the get-togethers is merely to let interested law students meet some members and find out more about the fraternity. We urge anyone interested to attend.

This year, the officers for Phi Alpha Delta are:

Justice: John Lobus
Vice Justice: Tony Metz
Treasurer: Barbara Keely
Clerk: Kathy Hoehn
Marshall: Steve Cloud
Parliamentarian: Rick Halpert
COMMENTARY

APPEAL INTERVIEW

Last week an Appeal editor travelled upstairs to visit with Dean Boshkoff. The interview is the first of a series with Law School figures. It was not transcribed, thus only where so marked is he directly quoted.

WHAT IS THE RESULT OF THE SCHOOL'S HIGHER STANDARDS OF ADMISSION? The Dean emphasized that he didn't like to play the "numbers game," i.e., 'our school has better LSAT scores than yours.' But he did think there is a better quality student entering and that there is some correlation of past record to law school performance. In addition, he feels, students who have a harder time getting in appreciate it more and perhaps are more serious.

WILL THE STANDARDS PEAK? Five years ago a faculty committee predicted 900 would apply for this school year, when in fact 1400 actually did. The Dean pointed out that the percentage of students going to college is going down but that perhaps a greater percentage of those who do go might eventually choose law school, which has become very attractive.

ON HAVING BEEN ASSOCIATE DEAN. Mr. Boshkoff said he was used to the administrative load because associate deans get a lot of extra jobs and committee appointments (in his case the committees for faculty appointments and curriculum study among others).

RE: MORE OUT-OF-STATE STUDENTS. We have more and more out-of-state applicants and students because word is getting around that there is a good school in Bloomington, according to the Dean. Tours by faculty members and recommendations by pre-law advisors have helped the trend.

IS THERE ANY WORK TO BE DONE WITH REGARDS TO RELATIONS WITH THE BAR? The Dean said he "has been searching for two years to find an example of 'bad relations,'" but spurred a little by the report that our school was weak in that regard, a full-time associate dean has been appointed to work with the bar. Mr. Boshkoff said it was a big job and one best handled by one person for better coordination. Prof. Dickerson is especially well qualified, he feels, because of his history of work with the ABA.

COMMENTS ON HIS PERSONAL ACLU WORK. The Dean has been interested in the Richmond-Bloom school district's decision to remove a student from the band because he was married. However the band member is not pressing charges, though a recent Valparaiso case ruled in his favor in a similar situation. The action was "clearly unconstitutional."

IS THE LAW SCHOOL MOVING TO INDIANAPOLIS? "No." The Dean thinks if that decision had been made, it would have been done a few years ago when the schools, instead, became separate. If there is a move, yet another new building would have to be built and they might as well build it down here. Faculty and students alike appreciate the campus location.
DID NIXON'S MOVE AFFECT THE LAW SCHOOL? "It froze my salary." The Dean went on to explain that the freeze took place one day before faculty pay raises took effect.

JOB MARKET. The Dean said everybody who really wanted a job got one though, admittedly it was slow going last spring. The trouble with some graduates, he felt, was that they don't want to go where the jobs are (e.g., Washington, D.C. versus a middle-size Indiana town.)

MORE LADIES IN THE SCHOOL. The Dean was pleased with the development, but expressed doubt that the school would have to make any changes to accommodate the trend.

FACULTY-STUDENT RELATIONS. No big problem, though some students feel professors are "on 3rd floor," inaccessible, "don't care." All agree that Indiana faculty are accessible on approach, though admittedly some students are reluctant. The counseling program of last year has not been continued because of difficulties on all sides. Dean Boshkoff went on to say it is all a matter of time - students want professors to prepare and good classes first of all, but certainly other contact is needed and possible.

ANY BOMBSHELLS? Dean Boshkoff was apologetic that in summary he had no spectacular statements to throw out. He did comment that there was a time he knew everybody in the freshman class because of his Contracts class schedule and that he misses the contact. However, he still has thoughts of returning to that field. He has an idea that perhaps when he teaches contracts again he will forbid the taking of notes so that students can pay better attention and participate more easily (which is a pretty spectacular idea.)

The Appeal wishes to sincerely thank Dean Boshkoff for his time and consideration in partaking in the interview.
THE BEGATTING OF THE LAW SCHOOL

In the beginning, the Reasonable Man created the system, but the system was without form and void, so the reasonable man loaded the system, for what could be more reasonable. And there was a convening and an adjournment, one day.

And the Reasonable Man said "Let the system be peopled," and lo, there was Perry Mason. There was Judd, there was Aaron Silverman. And there was a convening and an adjournment, a second day.

And the Reasonable Man saw they were without knowledge, and created the ABA, who possessed much learning and said so. And there was a convening and an adjournment, a third day.

And the Reasonable Man, seeing the ABA was alone, fashioned from its rib a law school, so that the ABA might have someone to pick on. And there was a convening and an adjournment, a fourth day.

And the law school, first seeing the ABA, said "Surely art the rib," and the ABA was sorely displeased, and there was a convening and an adjournment, a fifth day.

But the Reasonable Man so loved the law school that he gave his only interpreter, Harvey, unto the school, saying, "Harvey, thou art Dean of all you survey." And he passed unto Harvey the holy appellate opinions and the sacred cannons of the ABA. And there was a convening and an adjournment, a sixth day.

And on the seventh day, the Reasonable Man rested, declaring this a day to honor LABOR. But the Law School still observed the sacred rite of holding classes as scheduled.

So it was that the ABA begat the Law School, and the Law School begat the SBA, and SBA begat PAD, and PAD begat BALSA, and BALSA begat The Women's Caucus, and lo, bureaucracy was amongst them and they were organized.

Yet some rose up against the Women's Caucus, saying, "Nowhere is it written in the sacred opinions of a Reasonable Woman."

And the Women's Caucus replied, "But lo, nowhere is it written that woman shall live by begatting alone," and lo, the question was moot.

And it came to pass that a false prophet of the House of Kunstler arose amongst the students of the law, a prophet who denounced the sacred cannons of the ABA. And it came to pass that Kunstler came into the sacred temple of the Law Building. The multitudes rose up around him, saying, "Blessed art thou amongst the seven," and they bade him enter the hallowed courtroom of Moot.
But Harvey rose up before them and blocked the entranceway, saying, "Have you forgotten the teachings of the Reasonable Man? Who among you can show me where the sacred opinions make mention of the Reasonable Anarchist?"

And one of the multitude rose up, asking, "What then shall we do with this man?"

And Harvey answered saying, "It is written: Render unto the courtroom that which is legal, but render Kunstler unto the Standards Committee of the ABA.

In those days, a decree went out from the Trustees that all the school should be enrolled. And Harvey, hearing of the enrollment, cried out to the multitudes, saying, "Lo, are not lawyers greater administrators than these who enroll us? Is not our bureaucracy possessed of more red tape than any before the face of man?"

And Harvey said, "Let the students of the law be gathered together, and let the enrollment forms be like the sands of the earth, so that these chosen ones may have not one, but two enrollments."

But the multitudes cried back, "How shall this be done?" for indeed, there was little room in the Law Building.

Then Harvey said "Oh, ye of little faith, have ye not read in the holy opinions of the doctrine of standing?" And truly, it was written, "Ye shall not pass before the court without standing."

And Harvey said, "Let there be great lines of students." And Harvey made the lines greater than those of the Trustees. Thus the great enrollment was created, and the law students had much standing before the lines abated.

And Harvey looked out on those with standing, and seeing it was good, went on Sabbatical...

In the days of the great enrollment, it came to pass that the tribes gathered in the law school to take their places in the great library: The Tribe of the First Year, who were possessed of many questions. The Tribe of the Second Year, who were possessed of many answers. The Tribe of the Third year, who were possessed of insufficient job offers.

When it came time to take their seats in the Great Library, first chose the Tribe of the Third Year, for they were favored by the system. Then chose the Tribe of the Second year, for their noses were brown. Came it time for the Tribe of the First Year to choose their seats, but Lebus, chief Pharisee of the Great Library turned them away, saying, "Lo, there is no room at the carrels."

And great woe was upon the Tribe of the First Year.

The Reasonable Man, seeing their plight, spoke to them saying, "Fear not, for you are blessed among men. Your LSAT scores are numbered as the leaves on the trees, and your accumulated averages are favorable among the tribes."

And the Reasonable Man sent the plague of great thirst upon the Tribe of the Second Year and the Tribe of the Third Year, causing them to desert their seats in the Great Library to take shelter in the Oasis of Nicks and the Temple of the Flame.

Seeing this, there was much rejoicing among the Tribe of the First Year. Taking their carrels in the Great Library, they slew the fatted Gilbert's and spilled its blood upon their Blue Books.

So ends the first book of the Reasonable Man.
Dr. Drain's Worry Clinic

by Dr. George Drain A.B., M.A., Ph.D.,
Notary Public

Is there any basis in scripture for the liberal law making
of today? Read on, as Dr. Drain interprets the laws of
man and the will of God.

Case # R742

While strolling across the campus of a large Midwestern University recently
I was approached by a law student. "Dr. Drain," said the young man, "we law
students have always admired you and your practical application of psychology.
Would you address a meeting of our student body."

Although my schedule is rather busy with advising high-level government
officials, writing books, speaking to large audiences, and meeting with fellow
world leaders, I relented. I had noted that these law students were going to
class on Labor Day and knew immediately that this was not just another pinko
law school. I told the young man that I would be happy to address a group of
such fine Americans.

Before getting down to the substance of my address I complimented the
students and the school for holding classes on Labor Day. I explained that the
Dean had used good psychology by keeping the rats in the maze; thus preventing
their minds from getting soft due to holiday frolic. This is supported by
scripture in that the Lord did some of his most noted work on holidays such as
Christmas and Good Friday. He did not take the day off like so many wishy-
washy people would today.

"Today," I told the boys, "There has been a trend in the law to go easy on
that element of our society which has chosen to completely ignore the will of
God as manifested in our wise laws. I am of course referring to those killers,
rapists, and liberal arts students who scoff at law and order as they busily
perpetuate numerous offenses against common decency. Such a lenient attitude
is contrary to good psychology and the will of God. (Send for my pamphlet,
"Me and God: Buddy, Buddy") Now don't get me wrong, I am not proposing that we
use capital punishment merely because some long-hair is caught smoking acid.
I say just break his leg."

It has become fashionable today to hope that 100 guilty men go free rather
than one innocent man be punished. This is the kind of twisted thinking that
has put our children on buses and flouride in our water. No basis for this
bleeding heart nonsense can be found in the 'Good Book'. For instance, When
God saw what was going on in Sodom and Gomorah He did not waste valuable time
(or the taxpayers' money) trying to salvage the good apples; He made applesauce
out of the whole barrel. And when Lot's wife decided to take a peek back
against His explicit orders she was a pillar of salt before you could say 'due
process'. (send for my pamphlet: "Mrs. Lot: 'When It Rains, It Pours'") The
Lord did not worry about obtaining warrants before he busted the money changing
ring in the Temple. He just walked right in and got the job done.
"This is the kind of legal thinking that should be applied today. Rather than send these deviants to resort-like penal institutions, we should subject them to some suitable punishment--such as torture. In areas with a high crime rate such as ghettos, where people who are too lazy to work live, a more effective method of justice should be implemented. One cannister of mustard gas per tenement house could make anyone's town a revival camp. Not only would these malcontents be put where they belong (in the ground), but also our court room congestion would be greatly relieved. Then a hard working doctor could get a judgment against a degenerate, non-paying patient in no time flat.

Yes, future lawyers, together we can make this world a place in which anyone would be afraid to live. Fear of the Lord and fear of the law--that's the way God wants it.

[For Dr. Drain's pamphlets send 25¢ with a self addressed envelope care of this newspaper.]

What's the Rule, Shelley????

(This column will from time to time attempt to answer questions raised by law students on issues generally agreed to have no importance to anyone. Questions may be submitted to the Appeal office, which is never open, or directly to the author, who shall remain anonymous.)

This month's question comes from a 1st year student, who writes:

Dear Shel:

I have recently completed my first three weeks of Law school classes, during which time I have taken 316 pages of notes, and accumulated 6 1/2 hours of tape recorded lectures, all of which remain highly incoherent to me. As I have always dreamed of becoming a combination of Aaron Silverman and Perry Mason, my childhood idols, could you offer some advice on how the teaching system works in law school, and how to go about studying?

Defensively,

C. Judd

Dear Judd:

It must first be explained that most law professors rely heavily upon a modified version of the Sogradic method. This is in no way to be confused with the Socratic method, which was created by a philosopher of much lesser significance to the law student. (See: The Greek Intellectual--Is He Lacking in Horse Sense?, 14 Trojan L.R. 1654 B.C.)
The Sogradic method was invented by Murray Sograd, late dean of the Parsons College School of Law, who first employed the use of an endless series of questions as a means to teach legal reasoning. When a student failed to respond properly, he was chained to a carrel and forced to memorize a translation of 1000 Years of Polish Law (See: Favorite Topics of Law Journal Note Editors, 42 Nat'l Enquirer 104.)

In a landmark decision (43 Auschwitz Rept'r 34) this type of punishment was declared unconstitutional. As a result, law professors have developed more subtle means of evoking responses to their questions. An important fact to note from this is that they care very little whether an answer is correct or not, but are more concerned with receiving an immediate response. Many successful law school careers have been launched by students who were willing to respond with any answer that came into their heads, though it is suggested that the answer have at least some relation to the topic at hand. As an example, nearly any question in Torts can be answered with a short essay on the last automobile accident the student may have seen. Another method might be to ask how the professor's question relates to whatever fact situation pops into your head. If none occurs to you, try relating the plot of your favorite television commercial.

Many students locally have found that the most successful way to prepare for classes is to join one of the many legal discussion groups, most of which meet nightly in the North Annex, located on the second floor of Nick's English Legal Aid Society.

Always remember, Aaron Silverman started with Gilbert's too...

Shel

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