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Editorial

There seems to be a major furor arising on the library bulletin board concerning Placement Office policies and the almighty class rank. (It actually is receiving more comments than the Supreme Court situation.) The Appeal refuses to compete with the Law Journal for scholarly treatises on legal topics, but we hate to have the reputation of shying away from a controversy, so here goes an opinion.

First of all, let me point out that none of the editors represent "the upper 15%." You know who they are: they wear a three-piece suit every day waiting for their interview. One of them asked me the other day how my interviews were going, and I honestly stated that I only qualified for one all year, and that was with the IRS. Lo, how I've tried, but somehow, editor of The Appeal doesn't quite carry the same weight as editor of the Law Journal, though I daresay more people read us than them.

Anyway, last year The Appeal proudly reported that IU was luring more firms, especially from out of state, to interview students here. While this editor has had experience at Northwestern (a "name" law school so they say) as well as I.U., and would hate to make a distinction in the quality of education offered at both, the fact remains that firms are leery of hiring just anybody, much less from a law school with which they have had little or no experience and about which they have
heard even less. Now while the 85% know as well as I do that we are just as qualified, and arguably more well-rounded (but who wants an intramural football player defending him?) than the "upper 15%," the employer doesn't. His only standards of excellence are grades, faculty appraisals, and interviews. 1) How many students, especially the 85%, really know a professor well enough to obtain an in-depth appraisal? 2) The firm interviews hundreds of students from scores of law schools for a half hour each. Making distinctions becomes difficult at best. So what is left?

Admittedly, we're in a bind. I.U. is attempting to attract more and better firms to interview here, and the market for law students is decreasing. If a new firm tells I.U. that it will interview only the top 15%, what are we supposed to do? Are we supposed to tell the same firm we've just spent years "recruiting" to get lost? In the long run, that's a bad policy. If it's satisfied with a graduate of I.U., a firm will come back, though it may take a few years to gain its respect and confidence. So a firm begins by interviewing the "top" students as it can best define them. With success and time, it won't be so choosy. I can't blame them.

I might add that the immediate future is not so bad. While the "name" companies always interview early, many other firms, not so particular in their selection, will visit I.U. later in the year. See the interview with Mrs. Mitchner for details. While the situation is frustrating, it is understandable, and our Placement Office is left with little alternative.

John Lobus
THE STAFF FOR 1971

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Public Law Reform Task Forces on the Move

The Public Law Reform Organization of the Law School has instituted four task forces to investigate current problems in Indiana law and submit reports to the coordinators of the project by November 27. The reports are to propose changes in the law and upon their completion, a press conference will be held in the Moot Court Room and copies of the reports will be mailed to all Indiana state legislators. The task forces are:

1. Due Process Rights for the Indiana National Guard.
   Chairman - Steve Kinard
   Adviser - Mr. Sherman

2. Deficiencies in the Civil Rights Commission of Indiana.
   Chairman - John McDonald
   Adviser - Mr. Getman

3. Strip Mining Reform for Indiana.
   Chairman - John Kapsner
   Adviser - Mr. Tarlock

4. Parole Revocation and the Reasons for it in Indiana.
   Co-Chairmen - Georald Knowles
                 Jerry Rodeen
   Adviser - Mr. Schornhorst

The Task Forces should significantly contribute to the Law School and the legislators' understanding of certain deficiencies in the law in this state.

Greg Silver
Al Manns
Coordinators
Intramural Football Team

Mr. Jim Twinnendal, Player-Coach

Monday, October 11, the Law School intramural football team, the
Legals, wound up its regular season schedule by defeating the
Ranches 26 to 0, thus clinching their division title, and making them
eligible for the all campus playoffs and eventually the all campus
super bowl.

Even though the team was coached by a veritable Vince Lombardi,
it was the individual talent and determination of the players that made
the team a winner. The receivers, "Roadrunner" Roessler, "Butterfinger"
Budesa, "Hands" Prusek, "Down and out" Zoss, and "Pokey Painter, all had
their ups and downs, but in the end they had all caught a pass or two.
(At least on the first bounce.)

The defensive linemen, "Twinkle toes" Shattuck and "Gentleman"
Kinnaird were just peachy, the way they pranced into the offensive back­
field, lightly nudged the blocking backs aside and gently tagged the
Q.B. or blocked his pass. (I never could understand why the Q.B. &
blocking backs seemed to slip and fall on every play, then get up so
slowly.)

Of course what team can survive without a good defensive backfield?
Steve Cloud, Charlie Etter, Dave Sidor, Bill Rotziech, Bob Zoss, Dave
Greene and Pat Zika, all speedsters, allowed very few receptions and when
a receiver did catch an occasional pass, he usually wished he hadn't.
(Of course this led to many penalties and one or two fights).

In all seriousness, the offensive backfield with "Killer" Kelly and
"Mauler" Mason at half-backs and "Machine Gun Arm" Dunker at Quarterback
made this team click. Dunker hit well over 50% of his passes and had 9
touchdown tosses.

Most of the highlights of the season took place in the second game,
which featured cut lips, bruised arms, scraped backs, much cussing, a
couple of fights, uncalled clipping, roughing and blocking penalties,
overtime, a touchdown on the next to last play of overtime and a near
touchdown on the last play and the other team beating the hell out of
the referees and intramural field director after the game.

Anyone interested in playing in the annual Law School - Med School
game, watch the bulletin boards for the practice, probably on Monday,
October 18, or Wednesday, October 20.
'NOW HERE, YOU SEE, IT TAKES ALL THE RUNNING YOU CAN DO, TO KEEP IN THE SAME PLACE. IF YOU WANT TO GET SOMEWHERE ELSE, YOU MUST RUN AT LEAST TWICE AS FAST AS THAT!'

Red Queen to Alice, L. Carrol, Through the Looking-Glass
U.S. v. Indpls. School Board
IP 68-C-225, P. 49, N. 96

In a school desegregation action filed by the United States of America against the Board of School Commissioners of The City of Indianapolis, Indiana, Judge Hugh S. Dillin of the United States District Court of the Southern District of Indiana, Indianapolis Division on August 18, 1971 found for the plaintiff and permanently enjoined defendant from discriminating on the basis of race; ordering specified actions to be taken by defendant to fulfill their affirmative duty to achieve a non-discriminatory school system. The decision is interesting for several reasons. Judge Dillin's thorough discussion of the history of segregation in Indiana from territorial days to the present, lends strong support to his findings and orders. Of special interest is the fact that the orders of August 18, 1971 were issued pending decision of a broader issue. Whether passage of Acts 1969, Ch. 173, P. 357, Burns Ind. Stat. Ann. SS48-9101-48-9507 (commonly known as "Uni-Gov") automatically extended the boundaries of the School City coterminous with the boundaries of the Civil City, thus making annexation of eight township school corporations and three independent suburban communities possible in terms of School Board Jurisdiction. Where one considers the implications, judicial as well as political of an affirmative answer to the above
question it isn't improbable to envision a historical turning point for the fair city of Indianapolis in terms of socio-economic composition.

My discussion of Dillin's decision will focus on the following points:

I. His historical analysis
II. Conclusions of Law
III. Questions posed on the issue of expanding school board jurisdiction to Uni-Gov boundaries.

I.

After stating the ultimate issues of the case which were:

1. Did the School Board have a deliberate policy of segregating minority (Negro) students from majority (White) students in it's schools on May 17, 1954.

2. If the answer to first question is in the affirmative, had the Board changed its policy so as to eliminate such de jure segregation on or before May 31, 1968 (the date the suit was filed)?

in addition to finding for plaintiff, and explaining that the equitable relief sought was affirmative rather than one of negative injunction and therefore voluntary compliance by the defendant did not deprive the court of jurisdiction to insure the continuation of compliance, Judge Dillin discussed historical events leading up to the case.

Dillin voted the earliest white settlers of the Indiana territory in 1800 were Virginians; the most prominent member of that group being William Henry Harrison, the first territorial Governor of Indiana and the son of an influential Virginia planter and slaveowner. Even though slavery was prohibited by Article 6 of the 1787 Ordinance Harrison and his cronies passed laws that ineffect kept Indiana Blacks in chains.

Many examples of statutory and constitutional hostility towards Blacks are cited such as:

1. Restrictions on voting, serving in the militia and testifying (Constitutions of 1816 and 1851)

2. Acts prohibiting Inter-marriages; upheld by the Indiana Supreme Court in 1871, not repealed until 1965

3. Blatant attempts to exclude Blacks from Indiana and to send the ones already here back to Africa

4. Regular old run-of-the-mill Jim Crowism.

Even more fascinating was the history of housing patterns in Indianapolis that reflected the official policy of the City Council embodied in on a General Ordinance No. 15 passed in 1926 which made it unlawful for any Negro "to estab-
lish a home residence on any property located in a white community or portion of the municipality inhabited principally by White people. . ." When the ordinance was held unconstitutional by the Marion Circuit Court the Indianapolis News, according to Dillin, editorialized, "One thing should be done as soon as possible, and that is to pave the streets in colored neighborhoods, and make them so attractive that there will be no desire to get out of them. . .”

Cory, et al. v. Carter, 1874, 48 Ind. 327, a case brought by a Negro parent to compel Lawrence Township to accept his child in the 'White' school district, is an example of early school policy. An order of Mandate was secured from the Marion Superior Court but the Indiana Supreme Court reversed using an 1869 Act as a basis for its decision. The holding was reaffirmed in subsequent cases.

On December 22, 1922, the School Board adopted a resolution providing for a "Colored High School" and thus in 1927 Attucks High School was opened and all Black students attending White schools were compelled to transfer. Bussing was provided pursuant to Act 1935, Ch. 296, §1, p. 1457. In 1949 a bill was passed ending the official policy of segregation.

Despite the 1949 Act, Dillin shows how through various schemes such as fixing of boundary lines, optional attendance zones, and bussing the School Board defied the 1949 Act as well as the requirements of Brown v. Board, 347 U.S. 483, 74 S. Ct. 686, 38 A. L. R. 2d 1180.

A specific example of the Board's use of optional attendance zones to thwart desegregation was explained in a footnote. School 32, a White grade school was assigned to Shortridge, a White high school, until 1952, when School 32 became 52% Black. At that time it was given an option to Attucks. The option was ended in 1964 when the school became 94% Black. The school was then assigned solely to Attucks.

In May 1968, after receiving notification of plaintiff's intention to file suit if deficiencies weren't corrected, a special study was done to determine the best method for desegregating under the neighborhood concept. No recommendations were made. In February of 1969 the Board requested recommendations from HEW which HEW, after a study was made, presented. They were rejected. Subsequently a community-based committee suggested construction of a new Attucks. No new site was found, thus White students were to be assigned to Attucks in September of 1971.

After a discussion of statistics relating to changes in the racial makeup of the School City as well as the adverse effect of misplaced low-rent housing projects, Dillin in dictum explicates on the law relative to school city and civil city boundaries finding that the boundaries of a school city and of a civil city were coterminous, citing Burns, S28-2301 (1968 Com. Supp.).

However, he notes, Section 3 of Chapter 52 of Acts of the 1969 General Assembly abolished the concept that the school and civil cities in counties having a city of the first class would have coterminous boundaries. (Indianapolis is the only city of the first class). Of even more serious implication for Lodge Dillin is the "Uni-Gov" Act which expanded the civil city of Indianapolis and Marion County but confined the School city to an area in the central part of the consolidated new city. The effects of Uni-Gov according to the opinion, in light of the history of housing and racial segregation, may have been to retard desegregation and to promote further segregation.
Undisputed evidence was presented to prove the fact that when Blacks in a school reached a percentage of 40% (the tipping point) White's bowed out reversing the cycle. Percentages in such cities as New York, Chicago, Washington D. C., St. Louis, Gary, et al, led to the conclusion that meaningful integration in these areas was at best an illusion.

Dillin concluded as a matter of law that defendant were guilty of the charges and had an affirmative duty to convert it's system to a unitary one in which racial discrimination would be eliminated root and brance; citing Brown v. Board. He went on to state that the Indianapolis School System wasn't far from the tipping point (37.4%) and to solve the problem would require more than a "routine computerized approach to the problem of desegregation."

It was the Court's opinion that the tipping point/resegregation problem would "pole into significance if the Boards jurisdiction were coteruinous with that of Uni-Gov. With this in mind, Judge Dillin in addition to ordering defendant school board to

1. Immediately take steps to assign faculty and staff so that no school is racially indentifiable from the reacial composition of it's faculty and staff.

2. Immediately amend the "majority-to-minority" transfer policy to conform to the requirements enunciated by the Supreme Court in Swann v. Charlotte-McKlenburg Bd. of Ed., 402 U.S. 1, 91 S. Ct. 1267.

3. Immediately attempt to negotiate with the outside school corporations for possible transfer of minority race students to such outside schools.

4. Immediately resurvey the probable racial make-up of all schools for the 1971-72 school year, and take appropriate action to prevent schools now having a reasonable White-Black ratio from reaching the tipping point (by bussing if necessary).

ordered plaintiffs, in light of the questions posed by the court in relation to the possibility of coteruinous city and school boundaries under Uni-Gov and the jurisdiction thereof, to proceed to prepare and file appropriate pleadings to secure the joinder as parties defendant of municipal corporations and school corporations involved.

The results of the pending suit will no doubt be worthy of note to a large number of persons. The approach to desegregation exemplified in this decision can be and hopefully will be followed through.

Ronald B. Payne
AN INTERVIEW WITH MRS. MITCHNER OF THE PLACEMENT OFFICE

by Lawrence Shine

A healthy but often untapped policy within the Law School is the "open door" attitude of the offices toward questions and controversies which may arise. Mrs. Ann Mitchner and the Placement Office are no exception. In response to the growing discussion surrounding law firm interviews and job placement, The Appeal sought to provide its readers with question-resolving information on these matters. We found Mrs. Mitchner eager to provide The Appeal with answers:

Q: Is the Placement Office aware of the students' growing concern over the high class ranking required by the interviewing firms?

A: Yes, the Placement Office is aware of the students' concern. This same concern is expressed by students each year. We agree that a great deal of time and effort is concentrated on the top percentage of the class; but the visiting firms, and NOT the Placement Office, set the requirements.

Q: Why do these firms require such stiff credentials from the students whom they interview?

A: The requirements are dictated by the competitive system under which we live, the same competitive system which admits some people to law school and rejects others. These firms make annual recruiting tours, during which they visit such places as Harvard, Michigan, Duke, Virginia, and other major schools. Thus the students interviewed here face very tough competition.

Q: Why do only these large firms with such high requirements interview here in the fall?

A: The big firm, because of its structure and needs, takes a totally different approach from medium and small firms. The big firm has a proportionately greater turnover, can more accurately project its needs, and emphasizes summer internships with a view toward acquiring permanent associates a year ahead. Their recruiting tours represent a sizeable investment in terms of time and expense. Large firms are better able to support such activities than small ones.

Q: What kind of approach do smaller firms take toward interviewing?

A: Most smaller firms throughout the state still expect to be approached rather than to seek out potential employees. Many also hold the view that graduation, and even admission to the Bar, are essential before employment commitments are finalized.

Q: What kind of effort does the Placement Office make to attract medium and small firms to the school?

A: Brochures describing the service have had wide distribution, e.g., to 1500 organizations in the fall of 1970; another such mailing will
be sent after the first of the year. And last July, for instance, we wrote letters to nearly 300 law firms who have used our service, inviting them to come here this year for interviews and/or to accept resumes from our students. About 60% of these were Indiana firms. Another example is a mailing last spring to the presidents of all the county bar associations in Indiana, which resulted, incidentally, in three jobs. Students should know that there was no Placement Office as such at this school until June, 1967. In this remarkably short time, thanks to Mrs. Leffler's devoted efforts, it has helped a great many students find employment.

Q: Does the fact that a student does not have a high class ranking create the possibility of unemployment upon graduation?

A: Not at all. Our records for last year show that out of a class of 137 students, 95% reported either employment or a military obligation. Of those employed, some used the Placement Office, others took advantage of personal contacts with law firms or otherwise secured jobs on their own, while still others entered family firms. The remaining 5% (7 people) have not reported.

Q: How does this year's employment situation compare with last year?

A: It is too early to tell. Admittedly, competition for jobs is greater this year. One reason for the increased competition is the return of past graduates from military service.

Q: What will be the content and pattern of interviewing firms, after the fall season?

A: After this season, the number of visiting firms will be small in comparison. They will come after the first of the year, and will be primarily Indiana firms. Last year 17 firms interviewed here after the first of the year, and 121 other job opportunities were made known to us through the mail.

Q: Has the number of firms interviewing here this year increased or decreased from last year?

A: Whether there will be a gain or a loss in number of organizations interviewing this year remains to be seen. At present, the number is about on a par with last year. I am still receiving calls asking for dates. A total of 50 firms have been scheduled thus far; a total of 61 were scheduled from September through December last year.

Q: Has the number of job opportunities posted for law students increased or decreased from last year?

A: From January 1, 1970 to December 31, 1970, a total of 281 law firms and other organizations advised this office of opportunities for law students. In the first nine months of the current year, 264 such contacts have been made. With three months in 1971 still to be counted, it is clear that the current year will show an increase in information received.
Q: How do the numbers and attitudes of students interviewing this year compare with last year?

A: Interview schedules are much more crowded this year than last, and almost always there is an overflow of students for whom no time is available. Increases in class size are partly responsible (there are 12 more this year than last in the third-year group), but the most obvious change is one of attitude: students are not passing up any chances. Here are some comparisons:

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<tr>
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<th>1970</th>
<th>1971</th>
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<tbody>
<tr>
<td>(1) Indianapolis firm</td>
<td>16</td>
<td>29</td>
</tr>
<tr>
<td>(2) Columbus, Ohio, firm</td>
<td>13</td>
<td>28</td>
</tr>
<tr>
<td>(3) Chicago bank</td>
<td>8</td>
<td>23</td>
</tr>
<tr>
<td>(4) Chicago firm</td>
<td>15</td>
<td>29</td>
</tr>
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Q: Does the Placement Office carry on communication with placement offices at other schools in regard to job opportunities?

A: We exchange Placement Bulletins with the University of Illinois and the University of Minnesota, and these are available in our office. However, there is no organized exchange of information among placement offices, since each school is primarily concerned with placing its own graduates.

Q: What are your personal views of the Placement Office, and how do you see its function in relation to the student?

A: Placement serves as a liaison between employers and potential employees, providing information and performing various services for both. After this busy season, I plan to devote my time to advising students who seek assistance. My door is ALWAYS open. In return, I would appreciate more communication from students, especially when they obtain jobs, so that our office will have accurate information about the employment situation as an aid in advising other students. I look forward to knowing and working with every student who cares to call upon me.
Interview with Professor Sherman by Jim Todderud

Subject: The departure of Justices Black and Harlan from the Supreme Court.

What does their departure do to the Supreme Court?

Professor Sherman feels that the retirement of Justices Black and Harlan leave a void in the court. They were both accomplished legal craftsmen and will be considered among the very best justices in the overall history of the Supreme Court. Black had a reputation as a liberal on the court and Harlan as a conservative, but by the end of their careers, neither one fit his mold exactly.

What do you think was the most significant contribution each made to the court?

Justice Black's most significant contributions were his role in incorporating the Bill of Rights into the 14th Amendment so that they would be applicable to the states and in his broad and vigorous interpretation of First Amendment rights.

Justice Harlan will be remembered for his careful, unemotional, and craftsmanlike opinions and his conscientiousness of the inherent limitations on judicial power.

Any predictions for replacement?
(Editor's note: This prediction was made before President Nixon submitted a list of 6 names to the ABA)

Professor Sherman says there is some talk of Judge Frank Johnson of the U.S. District Court for the Middle District of Alabama. He is a highly regarded judge, appointed by Eisenhower. He gave the address at the Indiana Law School Alumni Weekend banquet in May, 1968. He has been a strong enforcer of Civil Rights and is a moderate on most other issues. The only problem is that he may be considered too liberal by the present administration. But, he may be a good compromise candidate since the Senate may be expected to resist the appointment of two full-fledged conservative justices.

Will the court change significantly?

There probably won't be any great shift to the right because two replacements will mean closer scrutiny by Congress. Nixon may end up with one conservative and one moderate.

Also, the Burger court hasn't varied much on Civil Rights issues and has not shown an inclination towards large-scale overruling of the criminal law decisions of the Warren Court. Even the appointment of two conservatives would probably not mean substantial overturning of the decisions of the Warren Court.

Will any of the present Justices play a bigger role now?

Professor Sherman feels that Justice Brennan is most likely to fill the role of legal craftsman previously occupied by Harlan and on the Burger court of principal civil libertarian previously occupied by Black. Justice Stewart, among the present justices, is also most likely to be able to fill the legal craftsman role vacated by Harlan.
STUDENT LEGAL SERVICES

Student Legal Services (SLS) has recently begun its second semester of service to I.U. students. Tom Ross, Student Body Attorney, is confident that the results of last semester have proven to the University the need of its students for free legal services. One indication of this felt need is the coming shift of SLS from the Law School Annex to more spacious quarters in University housing at 621 Atwater.

Other changes include a new policy of interviews by appointment only and the certification of five third-year students to aid Mr. Ross in forthcoming trial litigation. The use of appointments has already decreased much of the confusion and overcrowdedness which resulted during peak periods under a 'walk-in' policy.

The five certified students along with five other third-year students selected by Mr. Ross act as team leaders. These teams are composed of other law students, including first-year students, who also serve on a volunteer basis. Each weekday is divided into a morning and an afternoon period and each of the ten teams is assigned to handle the interviewing during one of these periods.

The team leaders then meet once a week with Mr. Ross to discuss the cases. The team leader then acts upon the recommendations of Mr. Ross or assigns the case to a member of his team. This law student then maintains contact with the client and does the appropriate research, negotiations, or preparation of documents under the supervision of both his team leader and Mr. Ross.

The bulk of these cases involve various problems encountered by students either as tenants or as consumers. Restrictions imposed by the I.U. Board of Trustees prevent SLS from taking legal action against the University, handling criminal cases or handling cases in which the opposing parties are both I.U. students. These cases and cases of a fee-generating nature must be referred to local attorneys.

One plan to decrease the number of landlord-tenant problems is the adoption of a Model Lease by the landlords of Bloomington. Such a lease has been prepared by SLS and one of the top priorities of SLS is to gain acceptance for this Model Lease among landlords.

The success of these projects and of SLS itself, however, depends upon the continuing support of the Law School and its students. But given the opportunity for valuable clinical experience, (that is face-to-face contact with people and their problems) this support seems quite justified.
H U M O R

For our readers who are inclined toward wagering upon the outcome of various athletic events, The Appeal is happy to provide the advance "line" on an upcoming game of interest to law students--

Las Vegas, Nev. (AP): Jimmy's Picks

*Law School 13 ---- Medics 6
*home team

Comment - Lawyers will be determined to gain revenge for past indignities. A temporary restraining order has been sought to prevent the doctors from crossing the 50-yard line. So, if the "pill pushers" can be stopped from slipping sedatives into the lawyers' Gatorade, the game should be interesting.

An interesting, but previously unexplored, area in which the wit of law students (and professors?) often appears is the plethora of comments and counter-comments scribbled in the margins of library books. The following is a transcription of a running battle between Mr. Blue Ink (who read the article first) and Mr. Red Ink. The original is to be found in the margins of Comment, Recent Federal Recognition of Aesthetic Values in Conservation Fields, 38 U. Colo. L. Rev. 397 (1966):

Text: It may be that the executive and legislative realization of these values requires an expansion of the federal standing doctrine, lest a device essentially procedural prevent federal courts from the same recognition.

Mr. Blue Ink (after underlining the last clause of the above): Flast recognized procedural nature.

Mr. Red Ink: REALLY?

Id. at 397.

Text: If room for debate does exist, it would seem in the national interest to have conflicting interpretations fully presented with the
outcome dependent solely upon the merits advanced for each position. The federal courts are the only forum for such an airing of views and presently are closed by the established doctrines controlling standing to sue.

Mr. Blue Ink: SUE THE BASTARDS.

Mr. Red Ink: IS THIS COMMENT NECESSARY?

Id. at 404.

CHARMING V. CHARMING

By James Garrettson

This is an action for divorce, brought by Plaintiff spouse, Snow White Charming, for cruelty, infidelity, and incompatibility. Defendant spouse, one Prince Charming, counterclaims on grounds of adultery, insanity, and neglect of duty. Both parties have entered pleas in the alternative requesting an annulment based on mutual mistake and upon the fact that the marriage was never consummated.

In an ordinary divorce action, this court would abstain from considering events prior to the marriage. In the present action, however, it appears to be nearly impossible to render judgment without exploring certain events leading up to the marriage, particularly due to their most unusual nature.

Mrs. Charming, it appears from the record, was abandoned by her mother, a Mrs. Queenie White, at a rather advanced stage in her childhood. Since Mrs. White perished quite recently in an accident resulting from an earthquake, we are unable to bring charges for what appears on its face to be a rather monumental case of child neglect. Nevertheless, it appears that many of the underlying circumstances of the present action stem directly from Mrs. White's failure to educate her daughter as to the nature of the opposite sex.

Finding herself abandoned at an age which appears to have been quite proximate to the onset of puberty, Mrs. Charming quite interestingly enough chose not to avail herself of one of the many administrative agencies set up to deal with youths in her situation. While one cannot help but admire such rugged individual enterprise, her choice of alternatives was hardly ideal. Mrs. Charming hired herself out as a housekeeper for a group of conservationists who were evidently operating some sort of a mine. The fact that no record of this enterprise was kept with the Bureau of Mines lends credence to the defendant's claim that rather than operating a mine, the seven un-named co-respondents were actually operating a commune where group sexual activities were rampant.

Plaintiff offers here as proof evidence tending to support the proposition that normal sexual activity would have been impossible due to the diminutive stature of the co-respondents, who are described in
the responsive pleadings as being "dwarfish in nature." It must be noted here that never in the past has the court accepted physical impossibility as a total defense, and in today's age of sexual deviation, the court chooses this case to announce its sincere belief that there no longer exists such a thing as physical impossibility where sexual acts are concerned.

Plaintiff first encountered the defendant while the defendant was riding his horse in the woods near where the plaintiff resided. Plaintiff has attempted to introduce evidence suggesting that the defendant was on his way at the time to visit one Cinderella, his mistress at the time. We feel this evidence was rightly excluded as irrelevant.

When defendant first saw the plaintiff, she was asleep on a bed of grass, surrounded apparently by the seven co-respondents. Defendant has introduced evidence tending to support the suggestion that the plaintiff was at this time under the influence of drugs, a practice not uncommon among groups such as the plaintiff was a member of at the time.

Counsel for Mrs. Charming here attempted to introduce the testimony of one Magic Mirror, whose residence was listed as On The Wall. Evidently this evidence would have consisted of testimony to the fact that Mrs. Charming was under the influence of drugs administered by Mrs. Charming's departed mother, who supposedly has made a rather hasty and unannounced appearance at the scene. Since this testimony would amount to the Mirror's retelling of Mrs. White's prior statements, it must be excluded as hearsay, and would be of doubtful credulity even if admitted.

Mr. Charming, fearing for the Plaintiff's safety while in the hands of such an unusual group of onlookers, evidently attempted to restore her to some semblance of consciousness and administered artificial respiration. The Plaintiff has attempted to characterize this as a crude form of sexual advance. We find this unconvincing.

Sometime later, when Plaintiff was awakened, defendant convinced her to return with him to his home, some distance away. Plaintiff was easily persuaded.

A short time later, the two were married. For a time the marriage seemed ideal, here being described as "enchanted." Problems soon began to occur, however. The defendant, it appears from the record, had been the victim of a phenomenal case of medical malpractice, the result of which was that the defendant's appearance from time to time began to resemble that of a frog. Defendant describes this as a spell which comes over him from time to time. Whatever the case, defendant was seen on numerous occasions to consume great numbers of uncooked insects. Plaintiff attempts to characterize this as extreme cruelty. We heartily disagree. If this court is to grant divorces on the supposition that a spouse's eating habits are uncommon, are we then expected to scrutinize one's eating habits, or perhaps grant divorces on the grounds that a spouse snores? We find this chain of reasoning unresponsive.
At nearly the same time, Mrs. Charming appears to have developed some rather interesting eating habits of her own, becoming rather addicted to the eating of apples. These apples appear to have had a rather novel effect upon the plaintiff, causing her to fall into a swoon nearly instantaneously. This occurrence caused the defendant no end of trouble at social events, since he would invariably have to administer mouth to mouth resuscitation. Plaintiff attempts to characterize this again as a form of sexuality which would, under her analysis, constitute condonation. Again, we cannot agree. This is nothing more than another example of Plaintiff's severely deprived sexual education.

Plaintiff next asserts that the defendant entered into an adulterous relationship with one Rapunzel Schwartz, who has continually refused to appear in court, giving as her only reason for such refusal that "I can't do a thing with my hair." The court must here note that contempt proceedings have been introduced against Miss Schwartz, but without any corroborative testimony, we find it impossible to uphold the lower court's finding of adultery.

As for the Defendant's counterclaims, Mrs. Charming's neglect of duty appears to result directly to her addiction to apples, and possibly to her continued use of drugs. Since we find no evidence of insanity other than her consumption of apples, we must find that her neglect of duty was caused by physical circumstances. Since one is not responsible for neglect due to physical ailment, we must dismiss the Defendant's counterclaim on these grounds.

The only evidence offered to support the Defendant's claim of his wife's adultery is prior activity with the seven co-respondents, we are forced to conclude that this prior conduct cannot establish adultery, lest the younger generation find that there is no way in which to establish a valid marriage.

We can only suggest that the parties return to their married state and attempt to effect some sort of a consummation. We confess a certain reluctance to even consider the possibility of an annulment after such an extended period of time, since the mutual mistake which both parties claim would more than likely not constitute grounds for divorce. It seems more humane to prevent the parties involved from contracting further marital relationships in the hope that they might be able at a later date to re-establish the fairy tale marriage which their first union contemplated.
Dr. Drain's Worry Clinic

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

Is the highest court ready for a master of applied psychology? Perhaps America is ready to wake up.

Case # R743

"Dear Doctor Drain," writes a young lawyer from Indiana, "The President is now attempting to fill two vacant positions on the Supreme Court. A law degree is not a pre-requisite for the positions, and many feel that a non-lawyer should be chosen. With your extensive knowledge of the legal system and your general all around wisdom, I feel that you would be an excellent choice for Mr. Nixon. Doctor, I know you do not like to 'toot your own horn,' but would you expound on what qualifications you could bring to the court and how your legal philosophy fits in with the Nixon plan."

It is certainly encouraging to hear from sound thinking readers like this one. It is true that my name has been heard frequently in high government circles as the man for the job, and I would accept the appointment. The country needs me.

The Supreme Court has long been a thorn in the side of democracy. Lately, however, steps have been taken to change this communist cell into a reputable branch of the federal Government. The appointments of Burger and Blackman are indicative of a trend to apply American rather than Russian law. But what the Court needs now is a man who can hasten this return to sound thinking—a master of applied psychology. The President should ignore past failures with Supreme Court nominations and strike a blow for mediocrity.

I am a member of the "strict construction worker" school of legal thought. Rather than give the words of our Constitution an interpretation that the founding fathers never intended (as the Supreme Court now does so frequently), I would go to the average American to see what he thinks the pertinent words mean. This would be done by soliciting opinions through "You be the Judge" features in magazines with subscriberships covering a wide cross section of the American public such as True and Reader's Digest. My opinion would be formed accordingly. The Supreme Court has taken words such as "due process" and "equal protection" and interpreted them to mean that the colored people can do anything they want. Under the "strict construction worker" interpretation, these people would get exactly what they deserve. When it comes to protecting criminals, I will be known as "Doctor No." (For more of Doctor Drain's humor, send for the hilarious book, Doctor Drain, the Court Jester). This is the kind of justice I can promise.

Yes, readers, there is room on the Supreme Court for applied psychology. I am sure the President will consider this as he selects his appointees.

(For Dr. Drain's book send $35.00 and a self-addressed envelope in care of this newspaper.)