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Judge Silberman To Be Commencement Speaker

By Greg Castanias

Laurence H. Silberman, judge from the District of Columbia Circuit Court of Appeals, will address the graduating law class of 1990 in commencement exercises on May 5.

Silberman, 55, has served as a judge on the D.C. Circuit since 1985, when he was appointed by President Reagan. A graduate of Dartmouth College and Harvard Law School, Silberman was a partner in a Honolulu firm before beginning his distinguished career in government service, which has been interrupted by occasional forays into the private sector. He has served in the general counsel’s office in the NLRB, as solicitor of labor and under secretary of labor, as deputy attorney general, as ambassador to Yugoslavia, and as President Ford’s special envoy to ILO affairs.

Before his appointment to the Court of Appeals, Silberman was managing partner of the Washington firm of Morrison & Foerster and served as Executive Vice President of the Crocker National Bank in San Francisco. The Judge continues to serve as Adjunct Professor of Administrative Law at the Georgetown University Law Center. He is married to the former Rosalie G. Gaull and they have three children.

Judge Silberman is the second distinguished jurist to accept the invitation of the Class of 1990. The first, former Supreme Court Justice Arthur J. Goldberg, withdrew on the orders of his doctors late last September and passed away in January of this year.

In Search of Three Pregnant Men

By Suzanne Buchko

On March 22, I was among twelve members of our Women’s Caucus who attended the 21st National Conference on Women and the Law in Detroit. After months of forced reading and exams, it was startling how exciting an informal exchange of great ideas could be.

The Conference, organized by a group of students from the University of Michigan, attracted judges, scholars, practitioners, non-law professionals and students, who were accessible and willing to answer questions, offer advice, give practice pointers and recommend readings. The theme was “Shifting the Focus: New Perspectives for the 21st Century,” and seminars concentrated on the idea that the time has come for women to shift the focus of the legal and political systems as we envision a world that includes and is improved by women’s perspectives.

The keynote speaker, Dr. Patricia Williams, introduced as a poet and legal scholar, talked about big dogs, little children and lawyers while explaining how traditional rights theories can’t account for the political and social needs of women of color.

During the next three days, more than sixty workshop sessions were held on topics ranging from the criminalization of reproductive rights to drug dumping on third world countries to non-litigative alternatives to practical strategies for political campaigns. In addition, there was a great day-care service and a good band, which were truly appreciated by my five year old.

The closing event was a panel discussing alternative legal theories supporting abortion rights led by Catharine see Three Pregnant Men on pg. 4
Entering the IU Law Admissions office, one is faced with a sharp contrast. To the right, an office with a cleared shelves, emptied cabinets, a vacant desk; all that remains are university-issued plants, a telephone and some discarded college handbooks.

To the left is another office; only it is a paperwork jungle. File cabinets bulge with folders. Post-its cover the desk-top, the desk-side, the phone, and the typewriter. A laser jet printer spits out address labels. A couch serves as the resting place for rows of GAPSFS forms. A cart has been wheeled in to accommodate the piles of paperwork. Over a stack of application folders on the desk, one can barely make out the shadowy outline of the top of the head of Pat Clark—admissions coordinator.

Such is the "ying" and the "yang" of admissions this year. Just when the office loses its biggest workhorse, it receives a record-shattering number of applications.

Last January, Assistant Dean Frank Motley took a year leave of absence. He is currently working for the Law School Admissions Service as Deputy Vice President for Council Programs. He is also serving as Director of Council Programs for the Law School Admissions Council. Both organizations administer nationwide programs relating to law school admissions and recruitment.

Meanwhile, the number of law school applications to IU has risen 20% from a record number of applications last year—a 50% increase in two years. For the first time, the number of candidates seeking admission to the law school broke the 2,000 mark. On March 31, the admissions office recorded 2,016 applications received.

Exit Motley. Enter Karen Cutright, Assistant Dean. Despite Motley’s departure, admissions under the direction of Cutright seems to be handling the influx of applicants. Says Clark, “He [Motley] hasn’t been gone too long and Karen [Cutright] has taken up some of the slack in admissions and financial aid.”

IU is not the only school facing a rising tide of applications. “It’s a nationwide phenomenon. But there are geographic differences and differences among schools in the same geographic region. Some schools, like this one, are experiencing increases above the national average; others are well below,” says Cutright.

What accounts for the increase in applications? According to Clark, “There is a nationwide increase in applications and no one can explain it—other than to point to the success of LA Law and the failure of the stock market in 1987.” The Assistant Dean went on to give some of the reasons often cited by applicants. Many candidates have had their interest in law piqued by some kind of contact with it, usually in the classroom. Other reasons include the national reputation of the school, interest in environmental law, and IU’s joint program with SPEA, interest in international law and the university’s foreign study program, and an increased awareness by engineering students that their degrees will find applications in patent and product liability law.

But Clark and Cutright are not the only ones putting in overtime. The entire admissions committee, comprised of the two admission officers, four faculty members and two students, has had to evaluate more files. According to Clark, see Admissions on pg. 4

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Discrimination:
By Greg Castanias

Usually, I have no trouble coming up with this column for The Exordium. But for some reason, I have been suffering from topic block the past two weeks.

Friday, my deadline, arrived, and I was no closer to having this column written than I was when the assignments came out. But providence arrived in two forms.

The Latino Law Student Association’s call to boycott classes was the first provident arrival. At first, I was outraged—not only because our tenured faculty was so heterogeneous, but because I was being asked to boycott classes to show my disapproval. Not exactly an action calculated to hurt anyone but the students themselves.

Then I gave it a little thought. The chart showed tenured faculty, and the junior faculty are the most indicative of who the University has been hiring lately. Of the untenured faculty, I counted these names: Kevin Brown, Stephen Conrad, Lynne Henderson, Joe Hoffman, Sarah Jane Hughes, Mary Ellen O’Connell, Lauren Robel, Rebecca Rudnick, John Scanlan, and Jeff Stake.

Of these ten, there are five women and one black. I would challenge anyone compelled by the Latino Law Student Association’s graphic to find another law school, nationally, doing as well in their “representational hiring.”

But I’m not saying that all’s well on the racial, sexual, and classist battlefronts. But this school ought to get credit where credit is due. Things are getting better, but they’re not OK, yet.

The second coming of providence arrived in the person of Diane Bluhm. As I was sitting in the cafeteria, she walked in her interview suit. I asked: “Interview today? How’d it go?” The story I got from her is a telling illustration of why things aren’t OK, yet.

The interview was with a Madison, Indiana law firm by the name of Jenner & Auxier. They’re not exactly Baker & Mackenzie, but this school ought to make certain that nothing like this ever happens in this building, ever again.

The interview began on the wrong foot. The two men asked Diane all the questions they’re not supposed to ask—like marital status, whether she was planning on getting married and having children, and whether she has a serious boyfriend.

A few more questions ensued, and then the interviewers showed their true colors: white and male.

One asked Diane what she would do to get along with other women in the community. She responded that she would be out in the community, meeting people in both professional and social contexts. The question was clarified for her: “No, I mean so that women wouldn’t think you were some sort of cold, over-educated attorney. For instance, do you garden? Would you join a gardening club? Do you sew?”

Diane stayed polite. “I know why you’re concerned about getting along with people. But I get along with most people, and I’m very sincere—I’d get along with females as well as males.”

The interviewer stayed stereotypical: “You don’t come on, do you?” “Excuse me? I don’t understand what you’re asking?” “You know, sexually, like to male attorneys or married men.”

Diane ought to get a medal for this response: “Well, I’ve never been asked that question in an interview before. I don’t know. You’re in a better position to tell me sitting across the table. What do you think?” “No, I think that’s fine.” Diane continued. “I come from a very conservative family where my mother and grandmother brought me up well. I have good manners and I know what’s right.”

The interviewer: “I’m just con-

Progress or Stagnation?

Interviewer: "Would you join a gardening club? Do you sew?"

Update from last column: Law school teaches that intention is important. Last month, I interviewed Professor John Baker about grading. I must say that I was disappointed with some of the comments I got, like “I really liked the way you ‘got’ Baker.” Wrong. There was no intent to “get” John Baker, only an intent to get some information about the grading system and the contrast in grades in his two classes. If anyone thinks Professor Baker was “gotten,” sorry.

Law Library Wins Environmental Offender of the Month: That’s right, the Indiana University Law Library has won this month’s Exordium Enviroffender Award. This award is presented for its stellar two-pronged efforts to undermine the ELS efforts to recycle and conserve paper. First, the library refused (for aesthetic reasons) to allow recycling bins in the computer room for excess computer paper. Second, a steady stream of full-page memos from the library, consisting of about one sentence of text, have appeared in my mailbox over the past month. Evidently, they’re showing off the new laserprinter.
the committee reviewed 1,200 applications last year; this year the committee is actually reading a few more.

No easy task according to student member Tracy Tuley, 3L: "The toughest part about reading applications is making a judgment based on 4-10 pieces of paper—it's difficult if not impossible to try to see through to the 'real person' behind the application."

Just as getting at the "real person" is difficult, so it is with quantifying the "average person" of the Class of '93. Last year the average LSAT of the entering class was 39; the average GPA was 3.3. When asked what effect the increase in applications would have on next year's averages, Clark said, "It's too early to tell. I'd like to think they would go up to 40 and 3.4. But with a two point increase [in the LSAT average] last year, it is overly optimistic to think 40 this year.

The law school community can remain optimistic, though, that IU remains a school widely sought by literally thousands of candidates desiring a legal education.

Admissions from pg. 2

Impressions of IU Law From Spring Law Day By Prospective Students

Ann Butler: Psychology major, IU, Age 21: "IU seems to be a place that one could have a challenging three years of studying. I haven't decided to sell my soul to IU law school yet, but this experience will definitely influence my decision."

Knight Anderson: Economics major, Notre Dame, Age 22: "Do we get a free lunch every Saturday? I think I can hang out here for the next three years. What a place, I'm excited already."

Anne Little: Probation Officer, University of Kansas, Age 24: "Law Day is a great way to learn more about IU law. The students and faculty with whom I came into contact were friendly and helpful, answering any questions I had. The facilities here—classrooms, library, etc.—appear excellent. My impression of the law school is that is a solid school and will provide a good learning experience for students."

Lisa Jalbert: Research Assistant, IU, Age 25: "Participating in the Law Day activities has left me feeling encouraged and excited about the prospect of attending law school here at IU. It's finally made my future as a law student seem like a reality."

Three Pregnant Men from pg. 1

MacKinnon, feminist and legal scholar. She deftly rephrased the abortion questions as a problem of men's fertility, and poked holes in the "similarly situated" and "real differences" doctrines while stressing the realities of women's lives. Ms. MacKinnon offered her assessment of the mother/fetus, public/private debate with the simplicity and genius of Justice Holmes and Gertrude Stein: "A fetus is a fetus."

Back in Bloomington, I settle down to my appellate brief and outlining, grateful for the conversation and comradery which focused beyond class standing to the professional world out there and was almost glad that we hadn't found those three pregnant men to sit on the Supreme Court.
STAKE TO REMAIN AT ILLINOIS
By Lou Henson

Professor Stake has accepted an offer to remain at the University of Illinois after successfully walking-on to the Illini basketball squad. Stake, who will fill the shoes of prospective-pro Kendall Gill, attributes his success to his dazzling set shot. A humble Stake said, "I would have been satisfied being Chief Illiniwek, but this is great!" 3L John O'Connor has already predicted a national championship for the Illini as a result of this development.

3L FUSES WITH 1L
By Dr. Martin Fleischmann & Dr. B. Stanley Pons

Scientists remain baffled after 3L Ted Stamatakos and 1L Alyssa Foreman mysteriously fused together while studying last Saturday afternoon. Ted explains, "We had been studying together at the same carrel all day, and when I got up, we were stuck together." Ted will be forced to suffer through Legal Research and Writing for the second time. Alyssa will be a new member of Professor Dworkin's Law and Medicine class. Alyssa, looking on the brighter side of the unusual happenstance, plans to ask Dean Fromm if she will be able to graduate in the Spring with Ted.

BRODEN ARRESTED
By Robert Heidt

3L John Broden, known for his quick temper and often nasty disposition, was arrested early Saturday morning in front of Hooligan's Drinkery on charges of assault and battery. After mugging a bum to get money for a hot dog, the disgruntled 3L attacked the hot dog vendor for putting too much mustard on his hot dog. Broden said in a jailhouse interview, "I warned the guy to just put on a little squirt and he put on tons!"

CASTANIAS RUMORED TO BE IN HIDING AFTER BAKER ISSUES DEATH THREAT

3L Tim Nash, after summers of extensive research, has completed the first hornbook on Windsurfing Law. The hornbook addresses pressing windsurfing legal issues like "That dude just stole my wave!" and "Do blonds with Vaurnets always get the right of way?" The hornbook, which will be released by West Publishing Company very soon, will have a conspicuous optic-lime cover and will be sand and water resistant. Nash stated that there would be no need for such a hornbook if windsurfers used a little common sense and yelled "outta the way dudes!"

MARESSE ATTENDS CLASS
By Mary Ellen O'Connell

In an unprecedented display of conscientiousness and self-motivation, 3L Mike Maresse attended class last Monday. Inspired by his newly acquired spring break tan, Maresse reasoned, "What's the use in getting tan if no one sees it." The punctual 3L was humble about his rare, live appearance saying, "It was easy. All I did was set my alarm clock. And when it went off, I got up."

FACULTY STUDIES CASTANIAS
By John "Gotten" Baker

A faculty committee spearheaded by Professor Baker has undertaken a quantitative analysis of Greg Castanias' quantitative analyses. The committee reports that since 1987, Greg has made 30% less quantitative analyses in each year to date. The faculty is demanding an explanation as to why Greg's analyses have declined. Castanias, when asked why he has made 30% less quantitative analyses in each year since 1987, said "Thirty percent? I had no idea it was that low!"
GARTH MAKES CAREER CHANGE
By “Willie” Shoemaker
Dean Garth has decided to give up his career in the law to pursue his childhood desire to ride in the Kentucky Derby. Garth, who is used to watching the grandiose event from the infield while sipping mint juleps, plans to employ some unusual tactics in his run for the roses. The creative Garth will be using a graphite, Wilson tennis racket as opposed to the traditional leather whipping stick to quicken the step of his philly. The departing Dean expressed his gratitude to Professors and students alike for conditioning him for his career change noting, “I’m used to the horse s#*t.”

GRADING POLICY CHANGE
By Grace DeFlation
A faculty committee voted yesterday to mandate that the mean for all law class be fixed at 2.0. The committee reasoned that too many law students found employment last semester. By curving around a “C” average the committee agrees that students will be less distracted with getting jobs to pay off their student loans and more concerned with not flunking out of school. The committee hopes that by next semester the Career Planning and Placement Office will be eliminated and replaced with an in-house credit counseling service.