Vol. 3, No. 3 (February 29, 1980)
The SIU Law School is a young school, with Professor Dan Hopson will be leaving the IU Law School after this semester to begin work as an assistant dean at Kansas. Hopson noted some changes in the student body during his thirteen years at IU. "The overall quality of the student body is higher," he said, "The top one-third is still the same, but the bottom third of the class is clearly better today than when I came." Hopson also commented that there was great diversity in the student body today, both in backgrounds and in the presence of more women and minority students.

While at IU, Hopson was active both at the academic level and in the legislature with Family Law and Juvenile Justice reform. He said that he plans to continue to be active in Illinois in both areas.

"Illinois is one of the few states that does not have no-fault divorce," Hopson noted, but he quickly added with a laugh that that fact had no influence on his decision to go to Southern Illinois.

Hopson was also director here of a new center for the study of legal policy relating to children. He said it was very hard to leave the center.

"The plans for right now are to hire a replacement for me and a law clerk, and to offer them the directorship of the center," Hopson said.

Hopson has suggested several possible replacements but no decision has been made at this time.

One of the attractions to Hopson at SIU was the opportunity to work in the administrative area which he enjoys. From 1974-1978 Hopson was the associate dean of faculty here and long ago he was an assistant dean at Kansas.

When asked about his background as a prosecuting attorney, Tim Morrison names off names and dates with the closest detail when asked a case for the jury. But then that is only natural. Morrison is the chief deputy prosecutor for Monroe County, and his characteristics of precision and thoroughness have made him one of the most respected prosecutors in the state.

A 1974 graduate of IU Law School, Morrison was appointed to the post of deputy prosecutor by Barry Brown, then the newly-elected county prosecutor. Michael Hunt, a Monroe County Public defender, has probably faced Tim in the courtroom more than any other attorney, and knows his ability well. (Morrison wears that the public defender’s office has developed a reference book titled Tim Morrison that says "When Morrison does this, they do this because he will not know how to respond.")

"I can’t imagine anyone saying that Tim isn’t a fine and able prosecutor," said Hunt. "The manner in which he presents his case in chief is his outstanding characteristic as a prosecuting attorney. He gets all the issues out clearly and thoroughly so that the jury is always satisfied with him.

Morrison explains, “There is no magic to being a lawyer. I’m not as bright as some attorneys, and not as thorough and you’re prepared, you’ll be good.”

Much of a prosecutor’s success at trial hinges on how well he understands and communicates with the jury. Tim Morrison feels that his presentation with that consideration in mind. "Tim never jumps ahead of where the jury is," Hunt said. "Even in a complex case, Tim keeps things clear so the jury doesn’t get lost.

That approach is based on Morrison’s rather interesting theory on jury psychology. "The aggregate of the members of the jury is like a roulette wheel. How you got to get twelve people to agree on anything," Morrison asked. "Not very. It goes around yes, no, yes, no. And when you get to the end of your case and all the evidence is out, it’s time for the judge’s instructions. He tells them that they have to decide whether to send the guy to jail and that they must believe he is guilty beyond a reasonable doubt. Then he goes through a fine definition of a reasonable doubt, and by that time the jurors are looking at each other, going ‘What?’

“I understand the pressures jurors face,” Tim said. They’re ignorant of the law, they’re intimidated by the whole courtroom atmosphere, and the only standard by which they can measure our performance is T.V. I’m sure the jury is thinking, ‘these guys are no good. They don’t jump up and down, and they read their questions off of legal pads.’ I wish I could say to them, ‘Jury, if I had 16 eye witnesses, or a signed confession, I’d give them to you.’

“It’s understandable that the jury demands information,” Morrison continues, “and I give them as much as I have. It’s hard to be totally sure about something. It’s been 15 years since Kennedy’s assassination, and we still don’t know what happened. Maybe Oswald was down from the Enterprise.” Morrison conjectured joyfully. “And you could get some jurors to believe that,” he added.

Judges, of course, also figure into a prosecutor’s chances for winning a case. Morrison calls the judges with whom he deals, “all dedicated and hard-working. I believe they attempt always to make the right decision.” He said that the atmosphere of the courtroom that says the decisions are basically made at random, and the more tired you are the more random they are.

The duty of a prosecuting attorney to seek justice without letting his own desires to win get in the way is a duty Morrison takes very seriously. Jim Posey, a third-year law student who works with Tim, says “Tim’s sense of justice is innate. When he is presented with a case, he really sits down and thinks about right and wrong.”

When asked if he has ever doubted the guilt of someone he was prosecuting, Morrison answers definitively “If I didn’t believe a defendant was guilty, I wouldn’t be in the courtroom.” Morrison cited last year’s Kimmel trial as an example of a case where he went to inordinate lengths to make sure the evidence was sound. Charged with sodomy, Kimmel, a former IU business student, protested his innocence throughout.

"That was an especially interesting case," said Morrison, “because Kimmel’s outward appearance belied what the evidence showed.” The son of a doctor and from a good family, it was difficult to believe the man in the dark suit and horn-rimmed glasses sitting at the defendant’s table was a sodomist. Morrison, whose dress could sometimes send John Malloy into a catatonic state, joked before trial that the jury would take one look at Kimmel and “probably choose to convict me instead.”

Prosecuting someone while he is protesting his innocence, "Morrison said about that trial, “can’t help but affect you as a human being. But I try to look at things logically, and in that case when I went in I was convinced of his guilt.”

If Morrison is always sure of a defendant’s guilt before he prosecutes, how does he feel when the jury acquits?

Looking out the window of his office, Tim answers instantly. "Inadequate. I think I haven’t done something that I should have and I hope deeply that it wasn’t something about me or my personality that influenced the jury negatively. Also I’m afraid," he continued. "I’m afraid that person is going to walk out and do something horrible, and people will say if Morrison had done his job this never would have happened.”

The closest Morrison ever got to actually facing that situation was a few years ago after prosecuting a rape case. Though the defendant was convicted, on appeal the case was remanded for retrial, and had to be dismissed due to the unavailability of the original witnesses.

(Continued on page 3)
**A low grade uproar...**

While the rest of the university worries about the hostages in Iran, the Russian invasion of Afghanistan, and the construction of a new swimming pool, the law school community has found itself embroiled in controversy over grade inflation — or the lack thereof, as evidenced by the grades announced for Wills and Trusts.

Student emotions have run high in this controversy. Dean Leonard Fromm has spent a great part of the last month listening to students both critical and commending Professor C. Ronald Chester's grade distribution. After hearing student opinion, Dean Fromm compiled a summary of the comments made by students and presented them, together with a recommendation for review and investigation of the matter to Dean Plager.

According to Dean Fromm, the grade point average for most classes is around 2.5. The average for Wills and Trusts was a 2.2. How can this discrepancy be explained? According to Professor Chester (see accompanying statement), the grades given were the grades earned.

Student opinion is different. "Of course the grades are low. I studied for a Wills and Trusts exam and was given a Property exam," was a comment made by several students. Many students support Professor Chester's grade distribution for varying reasons. "Those students who got D's expected to be spoon fed the material. When they weren't, they didn't bother to learn it on their own," one student noted. Another brutally honest comment was, "Hey, I'm not knocking those grades. I may make it to the top 10% yet!"

The important question to be resolved in the Wills and Trusts dispute is not the narrow question, "Are the grades too low?" The issue in controversy is much a broader one: Whether the law school should engage in a policy of allowing professors absolute freedom in determining grades, or whether the law school should set a norm for grade distribution, defining g.p.a. boundaries outside of which a professor may not go.

Traditionally, law professors have enjoyed "academic freedom" in determining their grades, regardless of the course. The academic records indicate, Dean Fromm notes, that most professors have stayed within a few tenths of a point of the average g.p.a.

At what point, however, must academic freedom yield to a desire to maintain some kind of g.p.a. norm? And, who, Dean Fromm asks, will determine if a professor has abused this academic freedom? These two questions are difficult to resolve, and yet they must be resolved in order to ensure fairness to both students and faculty.

Should the law school be allowed to force its faculty to give higher grades than the individual professor believes are merited simply to ensure a g.p.a. norm? The effect such a policy might have on the law school's ability to attract outstanding faculty is hard to predict. But it is not difficult to foresee that many professors might resist having to enforce their grade distributions to a law school mandate.

The student concern was summarized by a second, law student: "I don't pretend that I learned any law, not Civ Pro, or Trusts. I know that I learned the material better than I did in my grade reflects. But could a future employer look at that grade on my transcript and believe that?"

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**AMBITION LAW STUDENTS WANTED!**

Anyone having opinions, pro or con, regarding the law school newspaper, The Exordium, is invited to attend a very important meeting. Dean Leonard Fromm and the Editorial Board will discuss the future of this publication on Monday, March 10, 1976, at 7:00 p.m. in the auditorium located in the main hall.
The police to drag them in when they forget, boyfriend did end up going free and three dismiss the case,” Morrison remembered.

"I find the witnesses, tell the witnesses to show up, remind them when to show up, ask the police to drag them in when they forget, and then to their chairs so they don’t leave, and go back home when they end up angry before we put them on," he sighs. "And about the way everyday complaints are just a waste of time. If I mean, are we adept at this runaround? Yes."

"Many citizens envision us as all-knowing voyeurs. They expect us to do things that are designed to do. Our job is to keep the peace of the streets, not to make Uncle Charlie keep your toaster, or make Ethel be at Fred. So, when people come in here wanting a referee, we send them somewhere else." Morrison has a similarly high opinion of the interns. "They’re all great people," Tim declared.

Another tension outlet for Tim is watching sports. Like so many other IU alumni, Tim is a life-long Celtics, the Packers, and the Yankees fan. He stayed with them though." Morrison has a similarly high opinion of the interns. "They’re all great people," Tim declared. "I love working with all the people in this office."

He was vice president of IUUSA in 1970 and later ran for president, but was defeated by Keith Parker, a Black Panther. Tim, a member of ROTC then, and a white Anglo-Saxon protestant, said "They called me a pig then and it took me 10 years to figure out they were right." "Of course, I was against the war, but everyone was against the war. I couldn’t say ‘We’ll spend $10,000 of student activity funds and crush the war machine.’"

Now Tim is a captain in the reserve corps of the Army. He is thoughtful about the prospect of having to go to war. "I’ve never had people shoot at me and I’ve never had to shoot at anyone, but I’ve seen the weapons that will be used in combat, and the destruction they can do is awesome."

Referring to the likelihood of his own involvement, Tim adds, "Taking Russian in college was a stupid thing for me to do."

—Chris McGuigan

**Indiana Law Journal**

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Placement questionnaire —

Editor's Note: This questionnaire has been prepared by The Exordium staff to gather information concerning the placement services offered here at the law school. If you are so inclined, please answer the questions below, indicate any general comments you might have, and place the completed form in The Exordium mailbox in the main stairwell. Thank you.

1. How would you rate the overall quality of placement services here at the law school?
   ( ) Excellent.
   ( ) Good.
   ( ) Fair.
   ( ) Unsatisfactory.

2. In terms of geographical characteristics of interviewing firms, from which region(s) would you like to have an increase in the number of firms interviewing at IU?
   ( ) The Midwest (Chicago, Indianapolis, St. Louis, etc.)
   ( ) New England (New York, Boston, etc.)
   ( ) The West Coast (Los Angeles, Portland, Seattle, etc.)
   ( ) The Southwest (Phoenix, etc.)
   ( ) The Southeast (Atlanta, Miami, etc.)

3. What types of employers would you like to see do more recruiting at the law school?
   ( ) Small firms.
   ( ) Large firms.
   ( ) Medium firms.
   ( ) Corporate Legal Staffs.
   ( ) Government.
   ( ) Other.

4. What types of services would you like to see the Placement Office provide?
   ( ) More seminars on resume preparation, interviewing.
   ( ) More emphasis on legal career counseling.
   ( ) Better information re local job openings.
   ( ) Increased access to Judicial Clerkships.
   ( ) Other.

5. Do you think that the number of interviews which a student has should be limited so that more students have the opportunity to interview?
   ( ) Yes.
   ( ) No.

6. In twenty-five words or less, describe what improvements you would like to see made in the interviewing process, e.g., from the time you submit a resume until the interview concludes.

Mary Kay Moody

Administrative aid appointed

Dean Sheldon Plager has announced the appointment of Mary Kay Moody as Placement Officer. Ms. Moody succeeds Mr. Art Lotz, who has been named Assistant Dean for Budgetary Affairs at Indiana University undergraduates to this law school.

Ms. Moody's appointment comes in the wake of a reorganization of the Placement Office staff which has seen Mr. Frank Molloy reclassified as Assistant Dean for Admissions, Placement, and Personnel Administration.

Prior to joining the law school staff, Moody served as Administrative Assistant to the Associate Director of Programs in the School of Continuing Studies. Moody has received her M.S. in College Personnel Administration from IU — a tract which involves primarily placement and career planning.

Ms. Moody has already begun work towards the many goals she has set for the Placement Office. In addition to expanding the current mailing list of prospective employers by over 500 firms, Moody has initiated the groundwork for an as yet unscheduled spring seminar for students hoping to find judicial clerkships following graduation. Foremost on Ms. Moody's list of long-term goals is the improvement and expansion of the law school's interviewing facilities — described by Moody as "less than adequate given the large number of employers visiting the law school each year." Emphasizing that the above list of goals is by no means exclusive, Ms. Moody hopes that students will feel free to come to her with additional suggestions. "That's one of the reasons I'm here," Moody says.

Discussing the reorganization, Ms. Moody says she has been able to develop an "excellent working relationship with Dean Molloy and Dean Fromm." Molloy's office is soon to be moved from its present location on the second floor to the basement office recently vacated by the Recorder's Office — reflecting Molloy's new found Placement Office responsibilities.

When not thinking of new ideas for improvement of placement services, Moody likes to spend time with her husband, who is currently a graduate student in computer science after having spent several years as an associate professor in the IU French Department. Moody is quite active in environmental affairs — her latest venture involved the picketing of the Marble Hill nuclear plant near Madison. She is also a member of the Audubon Society and enjoys sailing.

The Exordium welcomes Mary Kay to the law school and wishes her well in her efforts.

Steve Zeller

Correction

The December issue of The Exordium contained an article entitled "Sexist Recruiting Techniques Assailed" for which Joyce Randolph's by-line was inadvertently omitted. The Exordium regrets that faux pas and thanks Joyce for her excellent contribution. —

Also, in Dean Molloy's article concerning admissions, there were two glaring typographical errors in the statistics. First, the University of Michigan received 4,300 applicants for admission, not 43,002, which translates into a 2% decrease from the previous year. Secondly, the application/acceptance ratio of Indiana University undergraduates to this law school was 30.1/105 — not 3/9.

Mex Culpa.