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The question being researched focuses around the Dean and his performance as Dean of the law school. Any students who wish to contribute with opinions or information should contact Susan Kornfeld (336-6074).

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By ELAINE SIEGEL

The Academic Regulations governing the Law School seem innocuous enough, mere formalities to be complied with, students are always benevolent. Student expectations that the rules will be flexibly applied, according to the equities of individual situations, may result in unforeseen problems. Several examples illustrate the arbitrary and dubious policies of the Academic Regulations.

Writing requirement and Law Journal participation: To graduate, a student must satisfy the writing requirement. The regulations specify a number of ways to accomplish this, including "completion of a Law Journal note or comment under faculty supervision." (Reg. Sec. II. A. 1.c.) Students who participate on the Law Journal as editors spend the better part of two years immersed in research and writing, their own and others. The Journal, like other student activities, has an active faculty sponsor. Furthermore, Law Journal associates develop their notes with the help of the Journal's board of editors. Yet Law Journal participation does not guarantee compliance with this regulation. Student Journal preparation and their notes as B706 independent study project in their second year, or satisfy the writing requirement in some other way. Some Law Journal associates are unaware of this twist in the rules. If the B706 credit and resultant demands may differ substantially from the requirements of the Journal editors, jeopardizing the associate's chances of acceptance onto the board. The editors want to preserve the Law Journal as an autonomous student publication with editorial independence. It does not make sense for Law Journal participants to load up on more mandatory credits in order to meet the graduation requirements. Faculty is reportedly concerned that students not get excessive course credit for working on the Journal. They also object that independently completing a Law Journal note does not give students enough contact with faculty. Certainly, these concerns can be met without imposing what amounts to a doubling of burdens. Alternatively, was developed to offer students not participating on Law Journal the opportunity of a comparable intellectual expression. The basic policy of the writing requirement is that a student "demonstrate proficiency in legal research and writing." (Reg. Sec. II. A. 2.) It is absurd to pack Law Journal participation into the course credit for working on the Journal. It is because of an interpretive gloss on the relevant regulation.

Absenteeism: Faculty have the discretion to recommend sanctions for "excessive absences," including grade reduction, exclusion from the class, or suspension. (Reg. Sec. IV.E.) One may argue the utility of reserving discretion to deal with extraordinary cases -- but it should be used only in extreme cases. Most students attend classes all most all of the time. For the great majority, lectures and discussions are too valuable to miss. The few who do miss class frequently, divide into roughly three groups. The first includes students with economic hardship; or compelling family responsibilities. They typically work long hours, at home or at low-paying jobs, and finish law school only through personal sacrifice. Their schedules have little time for course preparation; to pass at all, they may have to elect study time over classes. This category of students will expand as the economy worsens, the cost of living increases, and financial assistance becomes less readily available.

The second group of absentees include very capable students who are not challenged by class, do not need it to succeed, and have no appreciation for the importance of classes. This group includes students who have difficulty with the normative class schedule, because of health problems, emotional conflicts, or academic difficulties. Both the second and third groups are very small, but they demonstrate most forcefully the need for an enlightened absenteeism policy. Those students need flexible educational policies to accommodate their special needs, which the Law School can help provide. It should not inflict penalties on them that limit their subsequent opportunities. Their need for alternative education should not be a basis for sanction.

Patterns of absenteeism are encouraged because of the Law School's policy of full-time study. The regulation states explicitly, "The School is a University in full-time study." (Reg. Sec. IV.D.) To meet the rules requirement for graduation, "A student must complete six semesters (or their equivalent of full-time study) within six regular semesters of full-time study (or the equivalent in summer terms)." (Reg II.C.) The combination of full-time study and summer requirements leads to the conclusion that time per se, is the underlying educational policy. This pedagogically indefensible. Voluntary class attendance does not necessarily assure students to tailor an academic program best suited to their individual needs. (For most, class attendance is a job.) It also keeps a certain degree of pressure on faculty to maintain a high degree of excellence in teaching. Law students want to perform well, but they are not be counseled to seek out any beneficial resources or permitting.

Excluded Students and Auditing Privileges: The Regulations, a student is ineligible to continue in the Law School if, after the first year, his or her G.P.A. is less than 1.8, or if the cumulative G.P.A. subsequently is below that level. (Reg. Sec. V.A.1.) Such students are titulated to readmission by retaking examinations with a grade of "C" or better. (Reg. Sec. VII.A.) As of the present, excluded students are not entitled to audit classes it examinations they must retake. (They were entitled until the end of the summer.) The reasons are followed. There is no clear evidence that auditing classes leads to success in retaking examinations. There were indications that for some students, resulted psychologically or emotionally harmful. Arguably, students do better studying on their own, working in groups or self-organized tutorials, etc. Both the administration recognized that excluded students do not have one.

(Continued on page 3)

Dispelling the myth of truth And Justice in law school

One usually embarks on a career in the law believing in truth and justice. This myth is soon dispelled. These just principles are frequently voiced, but rarely applied. The powerful are given immunity, protected by the equity notwithstanding. Those without power to take away another's bread and butter, or to grant tenure, are without a voice. The powerful must legitimate the basis of their power. Cynicism sets in.

Entering this institution as law students, we expect that the "quiz" for which we contract, a legal education, will be bestowed on us authoritatively, in return for our conscientious efforts. We have led existence of "D"s evading blame, 0080 and 780 courses are contracting for an adequate legal education, enough to get placed on some acceptable point on the bell curve. We, therefore, aware of the inequality of each individual's experience. The administration has pledged their support for the Educational Assistance Program (EAP), a program designed to assist those students who "seem to need help." The EAP promise to assist 15% of a competent body of students, despite their devotion of endless hours and dollars to their education? Where has the system failed? The system is not the students.

Irresponsible administration has most greatly affected the economically and "socially" deprived, the group that is least likely to have a sound academic footing? With the great inadequacy of the Educational Assistance Program, it seems clear that only time itself can cure the inequity. If a student fails to plug into the "network" before the end of the first semester, he has failed. With the chance of surviving one "D" evading blame, there is no opportunity of earnestly pursuing a legal education by, if necessary, sitting in on class sessions for a second time, is rationalized away. Administration seemingly gives no thought to the dilemma faced by a student who must take their examination under a different professor, whose class the student has never attended. The administration is inadequate to voice any displeasure with the legal education he or she receives. One can only sit and be degraded. When injustice falls, one is in even less of a position to complain. One is without any rights or recourse.

The reviewability of the law-makers' actions is essential to equity. The popular "check" of the sovereign is the only method for a group's power. The administration is the most readily available. The administration is inadequate to voice any displeasure with the legal education he or she receives. One can only sit and be degraded. When injustice falls, one is in even less of a position to complain. One is without any rights or recourse.

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Letters to the Editor must be signed, thus names will be withheld on request. Any editorial contributions are welcomed. Contributions become the property of The Exordium and their use is to be determined by The Editorial Board.
Sexism: A lingering guerrilla war

By PAULA F. CARDIZA

Women are not pioneers in the legal profession anymore. We constitute about one third of this student body and approach 50% of others. Those of us here today do face the isolation and brazen discrimination women faced just a decade or so ago. But there are constant reminders of what a new phenomenon we are, from the pairwise problem of inadequate restroom facilities to the pervasive lack of established support systems. We enter a world that is not ours, not yet. Those whose world it is meet us with mixed reactions.

I was initiated into the legal profession when I took the LSAT nearly two years before starting law school. The young man sitting next to me was taking the test for the second time, trying to raise his score so he could get into some school somewhere. He told me with barely concealed bitterness that I did not have to worry, I'd get in; I was a woman.

Most men seem willing enough to let women into the profession, but some fear we will cost them career opportunities because of supposed preferential treatment.

I've not yet heard accusations that women are favored in the anonymous grading system here, but otherwise it's a guessing game. The worst effect is that we may never know ourselves to believe we really deserve the honors and advancements we receive.

Paradoxically, while some men fear we are favored, we still encounter lingering condescension and discrimination.

Even the most dyed-in-the-wool reactionary would probably disavow the Supreme Court ruling of the past century that states could prohibit women from practicing law, based on the natural law of women's place. We won't have Sandra Day O'Connor's much-publicized problem of being offered only secretarial work on graduation from law school. (Though we will often be mistaken for secretaries.)

The discrimination is less absolute today, and rarely expressed openly, at least to our faces. We often just sense it uneasily as we are being evaluated. Women can be lawyers... but not effective litigators, not with certain clients, not in small towns, not with this firm. Because the discrimination is no longer up front, the problem often seems to defy accurate description, let alone confrontation and correction.

Despite our growing numbers, we are still not allowed to succeed or fail as individuals. Because our shortcomings will be attributed to all women, we feel pressure to be prepared, articulate and professional at all times. We try to prove our collective competence while bearing the collective burden of all women who have failed.

It escapes no one's notice that the few female permanent faculty here tend to be aligned with male members of the faculty or administration. The rumors run from scandal (she slept her way up) to simple put-downs (the school wanted him so it had to offer her a job too). Seldom does anyone suggest that the woman may be independently qualified. No one has ever suggested that the male half of the couple was sleeping his way up, or riding the woman's coattails to a prestigious job. The women faculty would have to be brilliant scholars and spellbinding lecturers to vindicate themselves, a burden never placed on their male colleagues. And of course, they must vindicate not only themselves, but all women everywhere who have risen in the profession, and those who are aspiring to rise.

So even if we do advance in the face of lingering discrimination, our success will be attributed to individual competence only after we have borne the onerous burden of disproving all other possibilities.

To Be Continued.

Needless trauma over trees

By STEVE MARTIN

Recently, the Environmental Law Society held a public hearing to discuss the proposed addition to the law school library. The issue was whether the current plan of construction, which would result in the cutting of nine trees, be approved by the trustees, met law school needs and was justified in cutting down the nine trees in the woods.

Lecturer in History Professor Craig Bradley explained that the present plan for the building was approved by the trustees, met law school needs and was justified in cutting down the nine trees in the woods. He also explained that the preservation of the woods within budget and to accommodate a handful of students was taken into consideration.

Second, Parkhurst claimed that the cutting down the trees would create a dangerous precedent, encouraging other departments to view the woods as a site for possible expansion. Even this belief, however, seems unfounded.

The law school, due to its research needs and physical site can only be expanded by adding to the present building. This is a spacious campus, with plenty of areas for other departments to expand (Woodlawn Field and the Tenth Street Stadium land come to mind immediately.)

Given the facts, the university would be completely justified in cutting down the nine trees in the woods necessary to make room for the library addition.

Nevertheless, Dean Plager has resubmitted the design to the architect, in an attempt to place the addition in such a way as to save the nine trees. We have, no doubt, not heard the end of this matter.
Journal Competition Begins

First-year students will have the opportunity next month to submit papers for the writing competition to become associates on the Indiana Law Journal.

Participation on law journal offers students the opportunity to contribute to legal scholarship, as well as to gain a credential.

Becoming an associate is the first step toward becoming an editor. However, students who are now associates, and who do not become editors, will be able to continue their association with the law journal next year by serving as staff members.

By appointing a staff for next year, the 1981-82 board of editors will be continuing a practice initiated last spring by the 1980-81 board.

To be eligible for an editorship, an associate must write a substantially publishable note, and must do a substantial amount of cite-checking and proofreading of articles and other works being published in the journal. To be eligible for the staff for next year, an associate need not have written a note, but must have done a substantial amount of cite-checking and proofreading.

The writing competition paper will also serve as a tutorial assignment. Students are not required to submit their papers to the law journal, but the journal encourages them to do so. The editors’ evaluations of the papers to select students for invitation to become associates will be separate from the grading by tutorial instructors. The editors will not know whose papers they are evaluating.

Details about the writing competition and the paper will be made available through the tutorial classes, and at a meeting with law journal editors.

Students who rank in the top 10 percent of their class at the end of their first year will be invited to become associates, even if they have not been invited on the basis of the writing competition.

Composer “Hoagy” was I.U. Law grad

Hoagland Howard “Hoagy” Carmichael, a 1926 graduate of the Indiana University School of Law, was returned to his hometown of Bloomington for burial January 4. Born in Bloomington November 22, 1899, he died of a heart attack at his California home on December 27, 1981.

Although a graduate of the School of Law, Carmichael chose to make a name for himself in the competitive world of music and show business. Indiana University presented Carmichael with an honorary doctor of music degree in 1972.

Carmichael was best known for composing “Stardust,” in the Book Nook, a favorite student hangout in the ’20s. That song was only the start of a long career of songwriting and acting. His other hits included “Georgia on My Mind,” “Rockin’ Chair,” and “Ole Buttermilk Sky.” His movie credits included To Have and Have Not, Young Man With a Horn, and Johnny Angel.

IU Chancellor Herman B. Wells, a classmate of Carmichael’s, and IU President John Ryan were among those who paid tribute to Carmichael at a simple memorial service in the grand foyer of the IU Musical Arts Center. The ceremony was interwoven with Carmichael’s music.

DeLois Leapheast, third year student, demonstrates the diligence which resulted in an award-winning essay.

Award winner

By CHERYL GAITHER

Third-year student DeLois Tolins Leapheast was selected first prize in the 1981 Law Student Essay Contest by the National Association of Administrative Law Judges (N.A.A.L.J.).

The essay contest was opened to all law students. Candidates were judged on the basis of their analysis of the development of the theory of administrative adjudication, the originality and practicality of suggested changes and improvements in the administrative hearing process, demonstrated breadth of knowledge, depth of analysis, and originality.

The winning essay was entitled: A Reflection on Future Status of Social Security Disability Determinations.

Besides writing winning essays, DeLois is a member of BALSA, Moot Court Team, and Moot Board Advisor to the 1981 Client Counseling Competition.

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Indiana Memorial Union
New Center for Law and Sports explores athletic issues

By MIKE OURAY

One of the very talented athletes on the Minnesota basketball team which played two exciting games against this season is Mark Hall. You might be interested to know that Mark is playing basketball only because of a justice requiring the University of Minnesota to admit undergraduate students to law school.

The court ruled that the University failed to follow due process in rejecting Mark's application for admission to law school. The court found that the University's policy of not admitting students to law school unless they had already completed a Bachelor's degree was discriminatory.

In August 1981, the Center sponsored a national conference on "Law and Amateur Sports: Issues of the 80's." Distinguished lawyers and legal scholars joined with professionals from athletic administration, government, medicine, sociology, psychology, history, physical education, and educational administration to discuss the process, sex discrimination, liability for sports injuries and other major issues in sports. A book soon will be published by the IU Press based on papers written by the principal presenters at the conference.

Plans for the Center contemplate developing a data bank relating to legal and regulatory issues in sports; conducting research projects on the ownership of broadcasting rights in collegiate sports, the contractual status of student-athletes, and the regulation of Olympic sports; preparing model rules for amateur sports organizations; writing guidelines, consistent with tort law, for the safe conduct of sporting events; sponsoring additional inter-disciplinary conferences and seminars on sports issues; and developing a resource center to facilitate the most thorough research possible and to serve as a clearinghouse for organizations and individuals involved in the study of sports.

A small core staff conducts the activities of the Center, supplemented by temporary and consulting personnel on specific projects. An Advisory Committee with representatives from athletics, physical education, legal education, law practice, and law enforcement commits guidance on policy matters.

If you are interested in the Center for Law and Sports and would like more information or want to get involved, contact Professor Waicukauski. Possibilities for involvement include doing a B706 paper or helping to develop a law journal-type publication for amateur sports.

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Handicapped Services sets campus priorities

By ALISA COHEN

In 1973, Congress passed the Vocational Rehabilitation Act of that year, which requires that various agencies and institutions which receive federal aid establish means of making their services accessible to people with a "handicapped condition," that being defined as any condition which interferes with a major life activity. The definition is broad enough to include both physical handicaps and learning disabilities. Part of the mandate was that universities designate some specific office to coordinate efforts and make recommendations. Indiana University chose to establish a whole new Office of Handicapped Services, the current director is James Baumgartner.

Congress did not say specifically how the University was to accomplish accessibility, beyond saying that it must. So the direction of efforts has taken since then has been mostly a matter of IU's own policy and priorities, rather than the government's. All such action is funded entirely by the State; Congress allotted no money for the purpose.

Mr. Baumgartner said that the purpose and goal of his office is to "aid in the creation of a full life," to use his own ringing phrase. In terms of handicapped students themselves, he outlined three major concerns; first, architectural accessibility; second, program accessibility; and third, direct services.

In terms of architectural accessibility, the office is mostly concerned with barrier removal. This includes building ramps and lifts to various classroom buildings, seeing to such details as snow removal, and so forth. Originally, action for students was pretty much on a demand/response basis, but as the program grew and the budget didn't, it was set on a more formal priority list, by buildings. Recommendations are made both by Handicapped Services and by the University's Vice-President's Committee on the handicapped, a purely advisory body chaired by Tom Swaford.

Program accessibility involves making certain that once a student can get into a building, he can accomplish his purpose. The University has provided a visual aids center which Mr. Baumgartner is quite pleased with. Also, his office may intercede with professors to arrange more time on exams, to test the student's knowledge rather than manual dexterity. The list goes on, and Mr. Baumgartner seems fairly well satisfied with the efforts made in this direction.

Direct services seems to combine the goals of the other two areas, in such matters as providing transportation on the lift-equipped bus, arranging readers for students with visual problems, providing referral services for finding housing, and negotiations on behalf of students when needed. It is unclear who negotiates with his office or there's conflict.

The major problem with all of this is that the move toward rehabilitative programs seems to be "what's best for you." Such paternalism might put against people who are asking to be accepted as responsible adults.

Mr. Baumgartner views the other purpose of his office as public education, "to create a more equitable environment." Just how that is to be accomplished was not made clear.

All in all, Mr. Baumgartner seems quite proud of the quality and flexibility of the services provided by his office, as compared to other midwestern universities. He seems to consider the greatest problems to be lack of a sufficient budget, neglect on the part of the community, and unreasonable expectations on the part of those involved.

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Bus is Albatross to handicapped

By Kim McLaughlin
Handicapped. I do not

wish the Handicapped to

know that I don’t; I have

been the same thing

all the time. When a

trains (and snow) hit

a friend’s face. Like

those nice people

over and over again, officially

and unofficially alike. Here

are the latest “last

stood.” And the previous “last

four” occurred in

winter, 1980, from

which emerged three

memories, a fat lip, and a

smile gone as the history

of that story.

I was told last

month by a Handicapped

driver that he would

“not kiss my wheelchair.” I

was more than disturbed. I

had simply asked the man

for letters at a fraction of

the cost today for details.

I tell the tale not difficult,

though the Memory Machine gives

the Handicapped to make sure that the letters have asked me for,

he refused to unlock the

bus when I wasn’t there. A compromise was

reached. Baumgartner said

that my housekeeper could

ride the bus to the bottom of

Sixth Street. The next day I

explained this to the driver,

who made no response.

After I had gone inside the

Law School, the driver

abandoned the bus in the

driveway, leaving my

housekeeper alone and un

sure of what to do.

Again, the driver was ex

cused — he had not received

proper “orders” to allow

my housekeeper to ride to

Sixth Street.

The next morning, when

the bus arrived at my door,

I discovered that we were

now four; the driver had

brought his own “rider” to

come for mine. When I

asked the driver whether his

orders were to allow her to

ride along to Sixth Street,

he refused to hear my story.

The next day I was told

that I would have to claim her as

a “personal attendant” if I

brought my own “rider” to

the bus. I was told that I

would have to claim her as

a “personal attendant” if I

brought my own “rider” to

the bus.

After a brief

standoff, I released the

brakes myself. The driver,

who had been rude, was

not new on the job; he was

nervous; I had to allow for

his “strong” manner. I was

told to “go home, and have

a nice glass of iced tea,

and calm down.”

After the same driver

scolded me for causing him

to pick me up thirty-five

minutes too late, I told Hand

icapped Services that I

would no longer ride the

Bus with that driver unless

some other person were

present.

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standoff, I released the

brakes myself. The driver,

who had been rude, was

not new on the job; he was

nervous; I had to allow for

his “strong” manner. I was

told to “go home, and have

a nice glass of iced tea,

and calm down.”

After the same driver

scolded me for causing him

to pick me up thirty-five

minutes too late, I told Hand

icapped Services that I

would no longer ride the

Bus with that driver unless

some other person were

present.

When I was told last

month by a Handicapped

driver that he would

“not kiss my wheelchair,” I

was more than disturbed. I

had simply asked the man

for letters at a fraction of

the cost today for details.

I tell the tale not difficult,

though the Memory Machine gives

the Handicapped to make sure that the letters have asked me for,

he refused to unlock the

bus when I wasn’t there. A compromise was

reached. Baumgartner said

that my housekeeper could

ride the bus to the bottom of

Sixth Street. The next day I

explained this to the driver,

who made no response.

After I had gone inside the

Law School, the driver

abandoned the bus in the

driveway, leaving my

housekeeper alone and un

sure of what to do.

Again, the driver was ex

cused — he had not received

proper “orders” to allow

my housekeeper to ride to

Sixth Street.

The next morning, when

the bus arrived at my door,

I discovered that we were

now four; the driver had

brought his own “rider” to

come for mine. When I

asked the driver whether his

orders were to allow her to

ride along to Sixth Street,

he refused to hear my story.

The next day I was told

that I would have to claim her as

a “personal attendant” if I

brought my own “rider” to

the bus. I was told that I

would have to claim her as

a “personal attendant” if I

brought my own “rider” to

the bus.
First years flip over finals; head for Nicks

Prof's hat in ring

By CHARLES STEWART

The most notable aspect of first year exams is panic. From such situations is bred the grim amusement known as "gallows humor." The emerging crack in the first year psyche was first evident during the evaluations of Mr. Hartog's property class. After the professor had left the room someone's electronic watch sounded a few notes from "America the Beautiful." Would be lawyers stood with hands over their hearts and sang a couple choruses. Finished, the cry, "play ball" rang out and the evaluations were completed.

Later that same day, at precisely 2:00, Mr. Schornhorst's torts class was interrupted by a singing telegram complete with not only a telegram, but balloons, and a belly dancer. At the end of class Schornhorst in a magnanimous gesture responded, "Oh Heil, let's go to Nicks." The other torts section did things with less style, skipping the dancer and taking Mr. Dworkin directly to Nicks. Participants claimed that Mr. Dworkin not only bought the first round but obligingly did a flaming shot.

Back in property for the last day of class, Mr. Hartog made a gallant, yet futile, effort to instruct. A chosen representative came in to present a toy penguin doll and a bird hat, an apparition from an opium dream. The Adverse Positions, late of the Gong Show, climbed in through a window in the back and did a number while standing on the last row of desks. At-tired in Hefty bags and dark glasses.

With property over and two hours until contracts, a sizable portion of the class retired to one girl's nearby apartment for egg nog and partying. By 9:30 in the morning the place was luminum with people dancing to disco Christmas carols and spilling Scotch on the floor.

Mr. Boshkoff has that rare ability to put one at ease without putting one to sleep. In appreciation of this, one class presented him with a t-shirt and a large cake. Boshkoff came to class wearing a t-shirt emblazoned with a case citation and a poem about Rose 2d of Aberline. Rose 2d is neither royalty nor a national reporter series. Rather she was a cow and the object of litigation in Sherwood v. Walker.

Classes over, the first year class then went about the somber business of taking exams. After the last exam, bottles of whiskey, wine, and champagne sprouted forth from lockers. As the stupor of drunkenness set in first year was heard to say to another, "to get our degrees we have to go through this fifteen times. Think you can make it?"

"My own policy was to affirm a consistent plea to try as many cases as possible. Our resources are limited and we know that realistically no cases are going to have a large bite. It was a good fit," Waicukauski added that he couldn't do it in the extent to which it poses real resources to property class. As it crossed the line to where the public would be served.

Waicukauski infers that he would like at least third year in students in the Monroe Office. He has been in the past. "I would develop a clinic for the year law students. I would allow them to prosecute some of the more meager cases currently handled by the Monroe Office. I think I'm particularly good postin a police court office."

Waicukauski will continue teaching the January 1, 1983, to the Monroe County Prosecuting later 7 pm will be held. He will be seeking in the search for a new he would direct the office.

The law professor also plans to reallocate curriculum. "I would certainly a preciate any student at my campaign, but it was not the right fit me to my attitude or my attitude a classroom."

Other races will probably have only a minimal effect on the Prosecutor's race. Waicukauski predicted that the extent people ran-would have to vote along party lines that a Republican candidate was suggested. "Senior Senator Lugar is leading in the Indiana this year, so think he will be a m candidate."

"But Monroe County has a long tradition of qualified people running unaffiliated. Rather than vote along party lines they tend to vote for the individual candidate. It just isn't my race. Other races will have a great impact on who our next prosecutor in Monroe County."

When asked if he would win, Waicukauski half-heartedly only a moment. "I wish be in the race if I did. I think I would win. . . . SURE!" he exclaimed.