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City Attorney reflects on Supreme Court experience

By LAUREN ROBEL

On Nov. 8, Deputy City Attorney Harriet Lipkin argued the case of Briscoe v. Lafe before the United States Supreme Court. The action was brought under 42 U.S.C. 1983 against a Bloomington police officer for allegedly violating the plaintiff's constitutional rights by committing perjury during plaintiff's criminal trial. Lipkin argued that all witnesses could be absolutely immune from civil liability for their testimony; her opponent, Mr. Moran of Chicago, argued that police officers were entitled to only a qualified good faith immunity.

How does it feel for an attorney, just passed 2L, to be before The Supreme Court? "Very impressive. They are the supreme agents - not just the Supreme Court, but recognized experts on American law in the United States. That alone is astounding," Ms. Lipkin said she was surprised at the set up of the Court, which she believes lacks a lot of the formality found in other courts: "You are very, very close to the justices in oral argument. The purpose of oral argument is not to put lawyers on the spot, to see if they're smart or have seen their homework. The purpose is to focus the issues with well-prepared lawyers. At the Supreme Court, you're much closer to the bench than at the Seventh Circuit, where the podium is as far from the judges as in your Moot Court at I.U., and very isolated. When they get rid of the distance, things happen. It doesn't mean you don't call them "Justice," but you are more comfortable speaking to them, and that's what they want. Also, they only call you by your name, never 'Counselor.'" Ms. Lipkin believes that this setup is intended to facilitate discourse between the attorneys and the Court.

How does one prepare to argue a case before the Court? "The best preparation was the Moot Court practices (both at I.U. and in Indianapolis)," said Lipkin. She also rehearsed her argument, which she practiced over one hundred times, before video cameras, a practice she believes was both very useful and also standard procedure among attorneys going to the Court. She felt that the fact that she had memorized her argument was also important: "I didn't have to rely on notes."

Ms. Lipkin, who attended Antioch School of Law in Washington, D.C., also cited two particularly valuable law school experiences: "Moot Court-which I loved was very good preparation for this type of argument. I enjoyed the advocacy, preparation, and being before the Moot Court judges. But overall, the best thing was Antioch's clinic system. You are in the clinic from the day you walk into the law school, and by your second and third year, you are doing your own trials. The clinic was really wonderful because it gave me the confidence to believe that if you work hard and do the best you can, you can do anything. Here I am, 41/2 years out of law school and I went to the Supreme Court. We all know that a case gets there by speaking to them, and that's what they want."

The Justices asked Lipkin only eight questions, as compared to the twenty-one they asked her opponent. Many of the questions asked of Moran were hypothetical. Lipkin believes the questions were designed to get her opponent to resolve a basic problem: "The court has always used a functional analysis when deciding cases dealing with immunity from section 1983 liability: what is the function of the participant in the judicial process, was there immunity at common law: what are the policy reasons for continuing that immunity or not. My partner was asking them to deviate from a functional analysis and look at police officers as cops first and witnesses second, and to deviate from the tradition of absolute immunity. The Justices were asking him, 'If you want us to do this, resolve these problems.'"

Lipkin thought that Justice Marshall asked the best question of the day when he asked Moran, "If one police officer and four thugs all perceive yourselves, are you telling me that the only person you can sue is the police officer?" "The beauty of Marshall," said Lipkin, "is that he can ask a question that sound very down to earth and folksy but get right to the crux of the matter." Lipkin said that the Justices' questions to her reflected their concern about the possibility that police might want to use it as their "judicial process immunity" case, since many of the other participants in the judicial process have already been granted immunity.

**Forest Service decision to lease Hoosier National Forest land appealed by Environmental Law Society**

The Environmental Law Society, in connection with several outside organizations, has appealed a United States Forest Service decision to lease 75% of the Hoosier National Forest to private industry for oil and gas development. Consistent with the current administration policy of allowing private development of the public's resources, the Forest Service is undertaking a wholesale leasing program without preparing an assessment of the program's environmental impacts. Instead, a Contingent Rights Stipulation is being inserted into the leases which ostensibly will control exploration and development until a site-specific analysis has been completed.

The appeal is currently in the administration stages and on October 29, the case is being inserted into the leases which ostensibly will control exploration and development until a site-specific analysis has been completed. The appeal is currently in the administrative stages and is being inserted into the leases which ostensibly will control exploration and development.

The ELS contends that the decision to lease violates the National Environmental Policy Act of 1969, the Federal Land Management and Policy Act, the Multiple-Use Sustained Yield Act of 1960 and various antitrust laws. Several equitable claims are also made. "At the oral hearing, the Justices were receptive but it is hard to imagine the Forest Service reversing their own decision. We're fully committed to the litigation which will in all likelihood ensue."

According to Michael Dommermuth, Executive Director of the ELS, group members have prepared all of the papers required to pursue the appeal, including several briefs and memoranda of law. The appeal is being funded by Co-Appellants, Sassafrass Audubon Society, the Sierra Club, the Izaak Walton League, the Indiana University School of Women Voters, and several area landowners.

The ELS was formed last year and membership is open to all Law School, M.P.A., and M.P.H. students. In addition to the oil and gas problem, the ELS is currently involved with an important ground water issue in Dubois County, the Indiana "bottle bill" legislation, and a controversial proposal by the U.S. Army Corps of Engineers to issue a blanket permit for all state water projects. Involvement with these issues, Stryker says, affords ELS members "the chance to do a wide range of fundamental work as well as political lobbying and legislative drafting. Unlike the essentially 'make believe' experience of Moot Court and other clinics, the ELS is an opportunity for law students, regardless of their year in school, to gain hands-on experience with real legal problems in which one side wins and the other side loses."
Assistant Dean

Arthur Lotz

to be true. I have seen what momentum or the lack of it has done to many organizations. I have observed its effect on persons that I have known. Many had distinguished themselves in one fashion or another, but at some point in their lives they just seemed to lose their way. They lost momentum and were soon overtaken and, in some cases, forgotten. It is something that we need to use at various times in our lives. I am sure you have seen it in the classroom. A student may begin his/her first year like a ball of fire and then literally burn out by the third year.

Those kinds of stories usually make the best yarns at various times in our lives. I am sure you have seen it in the classroom. A student may begin his/her first year like a ball of fire and then literally burn out by the third year. These explanations, while helpful, initially received such inconsistent grades.

To help clarify the process, the Law Journal is currently reviewing the selection process. One modification being discussed is to provide the grader with the relevant information and the context of how they arrived at a particular grade.

Exordium raises is the method of grading competition papers. While this is a legitimate concern, it also makes evaluation harder. This problem is greatest with dependent topics. We are considering making the fairer burden on students and enables them to spend more time on the project, resulting in a better paper. Futhermore, many qualified students who are Law Journal caliber may wish to consider delaying their application for publication.

Finally, one practice we hope is not continued is changing the competition in conjunction with the tutorial program. Professor Lotz believes that this is a worthy goal. We are currently considering some changes in the writing competition in part to address the same concerns presented here today.

The Indiana Law Journal appreciates this opportunity to respond to the Exordium's comments on our selection of Journal associates. You have hit on some very legitimate concerns. We are currently considering some changes in the writing competition in part to address the same concerns presented here today.

To the editor:

The Indiana Law Journal appreciates this opportunity to respond to the Exordium's comments on our selection of Journal associates. You have hit on some very legitimate concerns. We are currently considering some changes in the writing competition in part to address the same concerns presented here today.

Perhaps the most important concern the Exordium raises is the method of grading the competition papers. While this is a complex subject, we would like to make sure several things are clear.

First, the scoring method, though not perfect, is far better than it is today. We believe that where there occurred a discrepancy between two raw scores for a single paper, the respective ratings for each grade were much more consistent. Also, the fact that the Executive Editors gave a third and fourth reading to over 40 papers who might normally consider applying to Law Journal might be better determined by the law abstracts committee.

The Indiana Law Journal has a well-deserved reputation of maintaining a high level of professionalism and quality. Because of the Law Journal's high visibility, as well as its keen competition, the Board of Editors has a responsibility to ensure fairness in its selection process.

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INDIANA LAW JOURNAL

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Letters to the Editor must be signed, though names will be withheld on request. All other editorial contributions are welcome. Contributions become the property of The Exordium and may be edited.

In October the law school sponsored its first Telefund as just one of several projects that are being planned in the near future. The procedure for selecting those who might normally consider applying to Law Journal might be better determined by the law abstracts committee. The Indiana Law Journal has a well-deserved reputation of maintaining a high level of professionalism and quality. Because of the Law Journal's high visibility, as well as its keen competition, the Board of Editors has a responsibility to ensure fairness in its selection process.

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Students panic as exam time draws near

By ZALDWAYNA L. SCOTT

A haze of panic has settled over the law school. Students are once again confronted with the seemingly impossible task of preparing for classes and examinations at the same time. At least veterans of previous semesters (2nd & 3rd floors of the law school) have confronted and wrestled with the problems and issues. However, the first-year student may be experiencing a great deal of anxiety. This article will explore the answers to the following three questions: 1. How to prepare for an exam. 2. How to take an exam. 3. How the exam is graded.

The author did not rely on her own experience but traveled up to the great chambers of wisdom on the second and third floors of the law school. The following information is the “Gospel According To Professors Schornhorst, Wand and Garth.”

How to Prepare for an Exam-Exam preparation is mandatory and personal. Some students prepare detailed outlines of the substantive law, while others may confine their studies to a reading of their class notes. But, whatever method is chosen the outcome should be the same, a thorough and complete knowledge and understanding of the applicable legal principles.

According to Professor Schornhorst, it is useful to have an outline that provides the student with a means of attacking the exam question. He favors a checklist type system. For example, if the issue concerns an attack on a jury verdict, the student should have a list of methods of attack, and the exceptions to the general rules.

In Professor Wand's opinion, it is the act of making the outline which is the key. An outline forces you to organize and integrate the materials, which Professor Schornhorst feels is essential.

According to Professor Schornhorst, your class notes should reflect the questions asked about the legal doctrines and the difficult aspects of those questions. At this point the 1st year student should know that there is no perfect and just solution to every legal problem and therefore should be aware of the alternative solutions, he added. It is always helpful, as one professor suggested, to take a look at old exams. At the very least, the student can familiarize himself with reading an exam question. But whatever method you choose the bottom line is “learn the law.”

How to Take an Exam-What is an exam? In the words of Professor Schornhorst, “an exam is an extension of the classroom experience and the methods of analysis the professors have been trying to convey throughout the semester.” But, a student may respond completely differently on an exam without the structured guidance of the professor, he added.

All three are in agreement on one point and that is the key to writing an exam answer is organization. “Don’t use a question as an excuse to tell all the law you know,” stated Professor Garth. “Identify the issue, state the rules of law, and use the facts to give a good legal argument based on those facts,” he said.

The student possibly should make a short outline of the answer before starting to write, according to Professor Wand. In that way the answer will remain organized. Also one should remember to deal with one issue at a time and go on to the next, she added.

“This process of analysis has been repeated in class, displayed in judicial opinions and emphasized in tutorial, and the same thing is expected on an examination,” said Professor Schornhorst. He went on to say that this procedure requires confidence in one’s ability to understand the problem. “Students are often unwilling to commit themselves to an issue, so they write a general essay without wrestling with the problem. But in order to write an answer you must state the problem and respond.”

Professor Wand urges students to work within the time constraints of an attack on a jury verdict, the student should have a list of methods of attack, and the exceptions to the general rules.

In Professor Garth’s opinion, “your class notes should reflect the questions asked about the legal doctrines and the difficult aspects of those questions.” At this point the 1st year student should know that there is no perfect and just solution to every legal problem and therefore should be aware of the alternative solutions, he added. It is always helpful, as one professor suggested, to take a look at old exams. At the very least, the student can familiarize himself with reading an exam question. But whatever method you choose the bottom line is “learn the law.”

But all had one thing in common, “there is no reward for a student who merely parrots the law.”

Professor Wand uses a point system. When she drafts a question she has in mind a certain number of issues that should be identified. She then assigns points for identification of the issue, depth of analysis, creativity and clarity. But, before Professor Wand begins the grading process, she will read twenty-five exams to get a feel for how the students are responding to the questions. After each exam is graded the points are added, but a letter grade is not assigned until she has read all of the exams. After reading, all of the exams she constructs a grading scale based on the point spread.

Once the names and the grade assigned by the exam number are returned from the recorder’s office Professor Wand may adjust the grade upward 1/2 a letter for consistency in class participation or 1/2 a letter downward for irregular class attendance.

Professor Garth also uses a point system, which is based on the level of importance of the issues. He reads through each exam question by question and assigns points based on the student’s ability to identify that issue. He may also give additional points for style and organization. The points are then added up and, when finished with all the exams, he formulates a curve based on the range of the points. A grade is then assigned to each exam. There is no magic formula for the perfect answer because the exam is graded point by point, said Professor Garth. But in the final analysis, there is no substitute for knowledge, he said.

Professor Schornhorst begins by outlining a model answer to each question. He reads the entire exam before making any determination in order to get a sense of the competence of the writer. He evaluates the answer by asking, what would he think of a lawyer who gave this response to a question within the time allotted. He also wants to see how the student uses the law as a tool, he said.

As you can see the exam grading process is a matter of personal style and preference for each professor.

If this article leaves the reader with many unanswered questions, I would recommend that you go and seek the answers. Most faculty members welcome student questions.
Interviewers leave casualties

By CHARLES STEWART

The fall semester, up until about Thanksgiving, is the interviewing season at the IU law school. This makes the placement office busier than a Chicago tavern on St. Patrick’s Day. Firms from across the country send representatives to Bloomington to recruit the best and the brightest. This, of course, doesn’t include you. Now that the dust has settled you’re left with a wrinkled suit, a stack of unused resumes, and more rejection letters than you are. You are stuck in a small room for thirty minutes and more, rejection letters than you are. You are stuck in a small room for thirty minutes and more, rejection letters than you are. You are stuck in a small room for thirty minutes and more, rejection letters than you are. The biggest hurdle to clear is the interview on campus. You are stuck in a small room for thirty minutes and more, rejection letters than you are. You are stuck in a small room for thirty minutes and more, rejection letters than you are. You are stuck in a small room for thirty minutes and more, rejection letters than you are. You are stuck in a small room for thirty minutes and more, rejection letters than you are. The big

The resume is the first and best look a firm gets at a student and a well written resume can cover a lot of faults. For instance, list your LSAT score in scientific notation and hope the recruiting partner wasn’t a science major. Next it is possible to list your undergraduate G.P.A. as a 4.0. Do not tell them that Purdue has a 6.0 scale, that spoils the effect. Finally, list all accomplishments of your college career that indicate you’re a winner. If your only accomplishment was being proclaimed the beer chugging champ of Rho Upsilon, simply say that you were the “Beverage Coordinator” of the house.

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Whitesides

DOWNTOWN COLLEGE MALL
Visiting student compares school experiences

By GABY POSNER

Gaby Posner is a law student visiting Indiana University School of Law from Southampton University in England. (October 1, 1982, 9:57 p.m. — a significant, if not historic, moment in my life. I realized that, for the first time in my three-year career as a law student, I was spending a Friday evening in the library. The reason this is an unprecedented event is, purely and simply, a physical impossibility. At the University in England where I did my LLB, the library closed at 6 o'clock on Fridays (at 5 o'clock on five weekdays and didn't even bother to open on Sundays). This is a recognition of the fact that even the most diligent law student would be hard pressed to find sufficient work to warrant a visit to the library at the week-end, and, therefore, would prefer to while away the hours in the, arguably, far more educational task of sitting in the local pub. I

... On Sundays. This is a recognition of the fact that even the most diligent law student would be hard pressed to find sufficient work to warrant a visit to the library at the week-end, and, therefore, would prefer to while away the hours in the, arguably, far more educational task of sitting in the local pub.

In all fairness, I ought to state at the outset that in England, law is, in essence, an undergraduate degree. If, afterwards, you wish to become a barrister or solicitor then you must attend the appropriate school for one year's professional training. Thus law at the University level is more of an academic than a practical exercise, and this, to a large extent, explains why the approach at Southampton University is so different from that taken at Indiana University.

I had not heard of the Socratic Method before I came here which (depending upon how you look at it) is probably a good thing because if I had known what awaited me, I very much doubt whether I would have quit my native shores, thereby relinquishing a hitherto peaceful and untroubled existence: I am accustomed to being taught by a system of lectures (usually two per week) and tutorials (one per week). Everyone attends lectures and all that is required of you is to take notes and try to sit still for fifty minutes. A tutor group consists of between four and seven people, and is aimed at going over the more difficult and controversial issues raised in the lecture. It is assumed that you are familiar with the facts and holdings of the cases and discussion is in the context of hypothetical situations. Everyone sits around a table and the proceedings tend to degenerate into a wholesale slanging match with the professor acting as referee. One major point of distinction is that case books are strictly verboten; decisions must be read from the law reports (which does tend to create complications when everyone is preparing for classes at the same time.) Also, we are encouraged to read aloud the subject by means of articles in legal periodicals and journals.

The academic year has three terms. These are each ten weeks long and run from early October to mid December, early January to mid March, and late April to early July. You have to take four courses a year, i.e., there is no similar range to that offered here. Southampton University is fairly unusual in that some courses involve essay and project work as well as examinations, whereas, at most other places, only the finals count.

On the minus side, when it comes to the examination, the standard of marking is really stringent. It is very difficult to do well and very easy to do badly. If you fail one course you can retake it in September and if you fail more than one you have to retake all four. If you fail again in September you will be politely asked to remove yourself forthwith. On the average, only eighty people, out of the annual intake of a hundred and fifteen make it back for the second year. The six week period leading up to the examinations is the only time you feel under any pressure and I have to admit that is an unbearably miserable and nerve-racking experience. However, for the remaining ten and a half months of the year, being at law school is a great deal of fun.

Much as I would like to be able to say the same thing about my time here, it would be somewhat less truthfully (and probably downright scandalously, in official circles.) On the other hand, I am beginning to adapt to-the difference in emphasis and, in particular, the constant race against time. Moreover, presupposing the fact that I manage to survive until May, I will at least, have acquired two new skills, namely, how to use my time properly and how to cope with being put on the spot. These should stand me in invaluable stead as a practicing lawyer and so, I tell myself that spending Friday evening in the library will really be worthwhile, in the end!
First law school telefund a success

Up in the third floor hallways, with phones from faculty offices, a group of I.U. law students telephone law alumni asking for contributions to the Law Fund. Two weeks and over 2000 phone calls later, the first Law School Telefund could only be judged a success from alumni over the phone.

Over 400 pledges were obtained from alumni. Since nearly all of the alumni who were contacted had never contributed to the law school in the past, that figure nearly doubles the 472 alumni (11 percent) who contributed to the law school last year.

In terms of dollars the total was $14,250 for the 350 alumni who specified the amount they will give. The average pledge was between $5 and $50. This "new money" represents previously unavailable assets, as well as the potential for growth as alumni increase their annual giving.

Contributions to the Law Fund are used for a variety of needs at the Law School such as student scholarships, library books, moot court and appellate advocacy competition, student and faculty travel, and faculty research.

Those working on the Telefund include: coordinator Mark Wagner and Denise Sejna, and callers, Scott Brown, Cary Boro, Steve Clark, Bob Foster, Greta Gerberding, Marcia Gohike, Brian Kilbane, Wilenna Kosmala, Barbara McKinney, Leslie Mead, Carol Nolan, Jay Rigdon, Susan Rogers, Rick Stenberg, Kethon Sweeney, Ida Warren, Bob Welsh, Susan Wilson, and Gari Zeheralis.

Following are some of the more colorful quotes in callers received from alumni over the phone.

"You can't talk to him, the S.O.B. left me.

"Honey, the bottom line is I haven't drawn a paycheck in two years."

"I wouldn't give I.U. Law School the sweat off my brow. (To which the response was, "But we are asking for the sweat off your a--, we are looking for money.

"He's been dead for three months."

"You tell that Dean that until he starts sending in a penny.

"Yes I got your information and I thought it was poorly focused for you to expect me to help fund my revolution."

"When I was a student I didn't get a damn dime and as far as I'm concerned the law school can go to hell.

"I'm not practicing law anymore, I'm a house husband."

"I'll give $500 when Dean Flager leaves."

"You know, in a couple of years you're going to be soaking garlic bread and trying to answer the phone.

Waicukauski wins prosecutor race

By ZALDWAYNAKA SCOTT

On November 2nd Professor Ron Waicukauski was elected to serve a four year term as Monroe County Prosecutor. He will officially take office on January 1, 1983. Professor Waicukauski will resign from his current position as a regular member of the School of Law faculty because he sees, "being a prosecutor is a full-time job and there is no way that one could continue as a full-time faculty member consistent with that obligation."

Professor Waicukauski joined the staff at I.U. in 1979 as an assistant professor. Previous to that move he was working as a trial attorney for an Indianapolis law firm. He has taught appellate advocacy, anti-trust law, income tax and administrative law.

The decision to run for public office, according to Professor Waicukauski was based on a combination of factors. Since childhood he has been interested in government and politics. He channeled that interest into a desire to become a public servant. "This is the first opportunity I have had to pursue that goal as an elected official," he said.

Professor Waicukauski grew up in Carbondale, Illinois, a small town in Southern Illinois. There he received a debate scholarship from Northwestern University. He was a college debater throughout his four years at Northwestern and graduated in 1970 with distinction. He attended Harvard Law School. While pursuing his education, he was active with the Moot Court Team and won the Ames Moot Court Competition as "Best Orator."

In 1973 Professor Waicukauski entered the Marine Corps. He was a military lawyer during his four year tour of duty and had the opportunity to argue before the highest military courts. While in the Marine Corps he earned an L.L.M. degree from George Washington University and graduated Sum Cum Laude.

Although Professor Waicukauski will be leaving the faculty as a full-time professor he is amenable to schedule permits, to teaching one class per year as an adjunct professor. Dean Flager has expressed an interest in continuing to work in the Appellate Advocacy Moot Court area.

Carrico gets grant for will research

By JAY RIGDON

Those students preparing their class schedules for next semester may have noticed by this time that Wills & Trusts will not be offered in the spring. Never fear, Professor Michael Carrico will still be around to lead the unwary through the maze of estate planning. But next semester his energies will focus on another academic pursuit; empirical research on the subject of will substitutes.

Professor Carrico has been awarded a grant by the American Bar Foundation to study when and why people use various will substitutes. To that end, he, along with Professor Ilene Nagel, will be conducting opinion surveys in Indiana and Illinois. The questionnaire will ask questions concerning people's use of wills and will substitutes, their reasons for using particular methods, and their general knowledge concerning this area of the law.

Law student interviewers will be selected and trained early next semester. Professor Carrico hopes that the actual surveys will be conducted in mid-March, with the completion of the data to be completed in July, 1983. The information acquired will be used in an article for the American Bar Foundation Research Journal, as well as at least one other article concerning will substitutes.

Carrico anticipates that this data will be built upon by other researchers to examine the motives of property owners in devising various testamentary and inter vivos property disposition schemes. In the law of wills and trusts, intent is often presumed by the courts with no real knowledge as to why people behave the way they do. Out of this project may come suggestions for changes in state laws governing this area.

Professor Carrico's interest in conducting this type of survey emerged from his dissatisfaction with the way the pieces of his course fit together. He points to the lack of any factual basis for many judicial policies regulating wills and will substitutes as a reason for the seemingly irrational outcomes in the case law. Both Professor Nagel and the ABF encouraged him to pursue the grant and relieve some of his own curiosity about the elusive concept of "testator's intent."

While his hypotheses are still in the formative stage he does expect the survey to reach certain results. Some people, says Carrico, probably don't use substitutes to cheat their families. Instead, they want to avoid being an attorney if at all possible. Indeed, much of people's near assets are covered in non-will vehicles, i.e. life insurance policies, pension funds, and the like.

Professor Carrico, both in and out of class, seeks to involve enthusiasm for this area of the law. Applications for interviewers to participate in this project will be available shortly.

Lecture Series

The following lectures are scheduled for the remainder of this semester:

November 22 - James Krier - "Strict Liability."


Guest speakers for next semester include Robert Summers, Frank Easterbrook, Laurence Tribe, David Senon, Richard John Paulin, and John Kaplin. Times of lectures will be posted on the board outside the Moot Court Room.
Building Addition to Break Ground

Monday November 22 ground-breaking ceremonies mark a plan to renovate and expand the Law School. The project includes major remodeling of the existing building and construction of a 57,000 square foot addition.

Phase One entails laying the foundation, raising a shell, and installing utilities for the new addition. Phase Two involves completion of the addition and remodeling of the existing building. The basement, removal of the library will create office space for Law Journal and student organizations, and the expanded Placement Office with interview rooms. The redesigned first-floor classrooms will use seating in a semi-circular configuration to create a sense of intimacy between professor and students.

The new addition will primarily be devoted to the law, providing much-needed study and stack space. The addition will prevent intrusion Dunn Woods, the subject of heated environment debates last spring. A white gravel roof and automatic windows will minimize the addition's effect on the Kirkwood observatory. Construction does promise to have a disruptive effect on major classes. At the very least, a summer session will be held outside the Law School to allow for the using of the classrooms.

The project is divided into two segments to allow the legislature to spread the cost over two terms. If all goes well, Phase One could be completed within 12 months. Phase Two depends on the availability of additional funding, but might be completed during the 1984 fall term.
William Oliver gradually moving toward retirement

William Oliver is an institution at the IU School of Law. He graduated from Northwestern Law School, he served as a law clerk for the Bureau of Internal Revenue and as counsel to U.S. Chief Justices Vinson and Warren before being appointed to the faculty in 1959. Once primarily known within the school for his expertise in the tax and business areas, he has recently achieved more notoriety for some of his outside interests.

In an interview with Professor William Oliver during the year of his "retirement," he was asked about his plan of retirement. "I plan to stay in. Something like 35-40% would either fail or three hours toward my license, but I doubt it ever want to quit teaching.

"What does the future of higher education financing in Indiana look like?"

"The state must raise new revenue. Once it does, it must sit down and decide how to do it out. There are lots of other competitors for state aid — mental health, prisons, other state employees — and higher education will do well to keep at its current level of funding. The state has an obligation to make higher education accessible to its citizens, but the legislature will have to make some hard choices.

"Imagine walking in to court with your client knowing that the prosecution has your client's written confession which was legally obtained. But, you get him off! How?

"It's widely believed that the Germans don't have an exclusionary rule," said Bradley. "They just exclude different evidence.

"According to Bradley, another difference is the greater protection given to familiar relationships in West Germany.

"Your first cousin can refuse to testify against you and the police are obliged to warn him before he can go. If he does voluntarily testify without the warning it may be kept high,"

"Alas, this protection is not afforded in the U.S. but in West Germany. Professor Craig Bradley said that this is one of the distinctions between the U.S. and West Germany in rules for admissibility of evidence. Bradley spent six months in West Germany last year researching Germany's exclusionary rule. He said: "I'm glad to be home," he said.

"I think the medical profession could be accused a lot of more of having tried to restrict numbers than the legal profession ever has. I suspect that in some cities where there are too many lawyers, the price of some simple legal services; divorces, bankruptcies, simple criminal cases, and the like may have dropped. But the number of people who can do corporate reorganizations and SEC registrations is limited enough so that I don't think you will see any great drop in the cost of these sophisticated legal services.

"What is your opinion of the current state of the federal judiciary?"

"The federal judiciary has lost some of the restraints on itself that it once had and I think this may provoke society as a whole to curb their abuses. Not every problem in society has to be solved in the courts. The courts are in danger of having the other parts of the political process curb their power.

"How?"

"Probably a good way to do it would be to impeach a few of them. Courts are designed to resolve specific disputes between two people. When it comes to solving the broader political issues and administrative acts of building jails, etc., I think other parts of society are the parts that ought to take care of it.

"I think we're in a society where we ought to cut down on the amount of litigation by having lawyers acting more as arbitrators. Litigation ought to be looked on as sort of a last resort.

"You worked with the legislature while you were serving on the Building Committee for the law school addition. What does the future of higher education financing in Indiana look like?"

"The state must raise new revenue. Once it does, it must sit down and decide how to do it out. There are lots of other competitors for state aid — mental health, prisons, other state employees — and higher education will do well to keep at its current level of funding. The state has an obligation to make higher education accessible to its citizens, but the legislature will have to make some hard choices.
Delta Theta Phi

The Delta Theta Phi Law Fraternity, founded in the year 1900, is one of the leading professional law fraternities in the world. Its membership numbers close to 70,000 lawyers since its inception, and includes many distinguished persons in government, in business, in international affairs, on the judiciary, and in the general practice of law.

Through its alumni, Delta Theta Phi provides a framework within which its student members are able to substantially further their personal contacts and professional opportunities in order to enter into a successful practice of law. Additionally, Delta Theta Phi offers benefits such as scholastic awards, grants and life insurance.

The Banta Senate of the Delta Theta Phi Law Fraternity, established at Indiana University School of Law in 1950 and active until 1965, has been reorganized. The Banta Senate is comprised of thirty members. The new members plan to hold many alumni/student activities to aid in the growth of the newly reactivated senate. Through these activities the members hope to enhance the professional, social and academic environment of the Indiana University School of Law.

If you have any questions or are interested in joining, please contact one of the officers. Delta Theta Phi officers are:

DEAN: Mitch McPeek
VICE DEAN: Rick Kissel
TRIBUNE: Karen Moses
CLERK OF THE EXCHEQUER: Erick Ponander
MASTER OF THE RITUAL: Mike Lewinski
CLERK OF THE ROLLS: Martha Macomber
BAILIFF: John Larson
FACULTY ADVISOR: Sue Brenner.

Women's Caucus

A mix of social and professional functions will be the primary concern of the Women's Caucus during the 1982-83 school year. The caucus will continue to offer potluck dinners like the two already held in September and October. It will also sponsor a series of discussions on women in the law and a weekend-long workshop in the Spring.

The Steering Board members for the school year are:

Delta Theta Phi Board of Representatives, Dean Plager has appointed the following students to faculty/student committees:

Committee on Admissions and Financial Aid: Al Fenner & Arriane Schafüng
Placement Committee: Cherri Branson & Susan Huettner
Educational Assistance Program Advisory Committee: Judy Workman & Ed Camacho
Faculty Appointments Committee: Marva Leonard & Becky Frederick
Educational Policy Committee: Rebecca Wilkinson & Steve Adams
Library Committee: Betsy Warren & Carl Yirka
Clinical Education Committee: Jeffrey B. Rubenstein & Kim Oldham
Lectures Committee: Peter Kelty & Julian Shepard

SLA

Upon recommendations by the Student Law Association, Dean Plager has appointed the following students to faculty/student committees:

Clinical Education Committee: Jeffrey B. Rubenstein
Committee on Academic Regulations: Susan Han & Regina Scribner
Committee on Academic Resources: Zaldwaynaka Scott, Rocky Wilkins, Denise Sejna, Kathy O'Connor, Kevin Eubanks, Karen Jordan.

PAD

PAD gained three new members in its October meeting. Association of Zaldwaynaka Scott, Stan Johnson and Tracy C. PAD plans another initiation for the first week of November. New members will also be welcomed at the second semester.

PAD has sponsored coffee and doughnuts on the law school lobby on Mondays and Tuesdays. PAD will continue throughout the school year so watch for announcements.

The Caucus is also working with the Women Abuse Shelter to assist rape victims in preparation for trial. This will include helping them to anticipate the type of questions that will be asked of them in court. Any law student who would like to participate in the program should contact either Heather Mollo or the Office of Women's Affairs.

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Indiana University School of Law in the Indiana Public Defender's office offer a new, three credit pass/fail criminal appeal and motion practice course for the next semester.

The six-student clinic, under the supervision of Professor Patrick Bush in a State's Public Defender's office, will enable students to prepare a case, write a brief, and present oral arguments in court.

No prerequisite courses are required for the course. However, preference will be given to third year students who have completed Criminal Procedure, Torts, and Appellate Advocacy.
By KIM OLDHAM

"Lights, Camera, Action!" the 4th Annual BALSA Gong Show was held Friday, October 29, and once again, it was a smashing success. The performers entertained a packed house at Bear's Place with acts ranging from a stand-up comic who was booed off the stage and actually admitted jokes were bad, to an excellent singer.

The judges panel consisted of representatives from 8 different organizations, plus three faculty judges, Professor Bethel, Garth, and Tanford. One first year student noted that he wished Professor Schornhorst had been a judge, apparently having heard what a "great" judge Schornhorst has been in the past (isn't it nice to be heard?). According to Professor Tanford, the Gong Show is the one thing to ever happen to the law school, because it brings the students an opportunity to interact with the professors. Professor Garth commented that their act was witty and entertaining, but that he missed the inside jokes about Bauder and Carrico, which only the second and third year students understood. Also making its third appearance was the Adverse Positions with their "daring" punk rock outfits. We'll be looking forward to seeing them again next year. The winning act was performed by the only first year participant, Efrem Channel. He sang "The Greatest," displaying singing talent that makes one wonder why he is in law school. The Hunter Freeze Band took second place and the Tortious Sisters won third place.

Over the past 4 years the Gong Show has become a very popular event, and the resulting crowd has outgrown Bear's Place. BALSA attempted to find a larger place but the search was unsuccessful. Next year there will be even more pressure to find a larger place so students will not have to be turned away. Also next year, we will try to put more pressure on the faculty to participate.

The Gong Show is one of many fund raisers that will go to support the BALSA Symposium and BALSA Midwest Regional Convention, to be held in February, 1983. BALSA would like to thank everyone who participated and everyone who attended. A special thanks goes to Zaldwaynka Scott who organized the event and her Committee members, Regina Servinver and Kim Oldham. BALSA will be looking forward to seeing everyone next year (not the 3rd years!).
The intramural football fields were graced with the multi-faceted talents of IU law dogs this semester. Three teams respectfully represented the law school - two male and one female. Only one of these teams remained undefeated - and that of course was the women's team which finished with a record of 2-0-3. This team was coached by Kirk Wilkinson and consisted of Karen Jordan, Sue Wilson, Linda Whipple (who was knocked-out in mid-season as a result of injury), Ariane Schallwig, Beth Powell, Marty Macomber, Carolyn Kaye, Denice Torres, Gigi Robinson, Mary Jordan, Sydnee Singer, Elizabeth Justice, Julie Verheye, Gail Zeheralis, and Mimi.

The "Obiter Dicta" team finished with a 5-2 record for the season. In the post-season tournament, they reached the semi-finals before being knocked out of the final four. This team was coached by Steve Hackman and starred Kurt Nondorf, Ken Yerkes, Scott Henderson, Jay Beatty, Phil Isenbarger, John Lines, Don Levenhagen, and Marshall Wellon. The men's other team was Minor Offenses who finished with a 3-3 record. They were eliminated in the second round of the playoffs. They were coached by Jesse Villalpando who stated "The first playoff game had a draining effect on the team. Who knows what might have happened if the initial playoff game had not ended in a hard fought 1-0 forfeit victory."

The team was lead by such popular stars as Steve Skoronski, Mike Ascensio, Dan Piekarczyk, Jim Weber, Ralph Schatzki, Randy Nixon, Kirk Wilkinson, Tom Dudley, Greg Schiller, and Tom Dakich. All of these fine athletes should be congratulated on a job well done. The fans just can't wait for basketball next semester.

The new SBA Softball Tournament champions for 1982 are the "Tortfeasors." The tournament, played in Bryan Park on Saturday, September 25, marked the third appearance by the Tortfeasors in the final game but this was their first championship. The final score was Tortfeasors - 7, the DCB's - 4, in extra innings. The Tortfeasors are Donna Fry Welch, Carolyn Kaye, Ron Tucker, Mark Moryl, Mike Weber, Ken Yerkes, Jeff Welch, Mike Raymond, Doug Small, Craig Paige, and Kurt Nondorf.

On Saturday, October 9, the law dogs, the law school flag football team, played the medical school team, the Meds. The final score was Meds - 12, Law Dogs - 2, with the Law Dogs scoring on the last play of the game. The Law Dogs are Steve Hakman, coach; Phil Isenbarger, Jay Beatty, Jeff Block, Ken Yerkes, Tom Waldrep, Kirk Wilkinson, John Lines, Don Levenhagen, and Steve Adams.

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