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Laurels For Feerick: An Alumnus To Remember

Last March, John David Feerick '61 received the Medal of Achievement from the Fordham University Law Alumni Association. In presenting the award, John Vaughn, President of the Alumni Association, said that Mr. Feerick was "a model lawyer...a highly skilled, diligent practitioner who has generously made important contributions to the public interest."

Addressing the several hundred alumni who attended the luncheon at which the Medal was presented, Mr. Vaughn explained that "John David Feerick may or may not be a 'Junior'—it is not clear whether his father's middle name was David." Mr. Vaughn remarked on the incongruity of bestowing this award—which has been presented to former Governor Malcolm Wilson, former Attorney General Louis Lefkowitz and Judge Irving R. Kaufman of the Second Circuit—upon a man "who does not even know his name."

Vaughn went on to say that, because of his work with young lawyers and as a public servant, Feerick is known as "John the Good" at his law firm (Skadden, Arps, Slate, Meagher & Flom). Here at Fordham, he is known as the Patron Saint of Fordham Law School because of his dedica-

tion to and hard work on behalf of the Law School.

Feerick went to Fordham College before coming to FLS, where he was Editor-in-Chief of *Law Review* and graduated fifth in his class. After graduating, he spent a year with the United States Army's 77th Division, in Korea. He then returned to Skadden, Arps, where he had worked summers during law school, and where he has remained since. He became a partner in 1968.

Mr. Feerick has been a member of the Special Committee on Electoral College Reform and the Special Constitutional Convention Study Committee. Feerick was one of the forces behind the passage of the 25th Amendment. His book *The Twenty-Fifth Amendment* (one of the four books he has written) was nominated for the Pulitzer Prize.

A specialist in the field of labor law, Feerick writes a monthly column on the subject for the *New York Law Journal*. He teaches a seminar at FLS.

A trustee of the University and a director of the Law Alumni Association, Feerick continues to work for the Law School, particularly in the area of placement.

Upon receiving the Medal of Achievement, a very moved John Feerick said, "I am speechless. To say that I am overwhelmed is an understatement. This is the greatest honor I have ever received."

Rather than talk about himself, he then expressed his "deepest gratitude—to my parents, for values; my wife Emalie, for help and support; my six children, for the pleasure of their company; my partners and my secretary, Gloria Frank."

Speaking with *The Advocate* several weeks after the luncheon, Mr. Feerick said that he felt "almost a conflict in receiving the Medal. It is I who have the Fordham community to thank instead of the other way around."

Feerick spoke about Fordham, its students and the alumni they become. "I think that the students at Fordham are very special people. There is a *community* at Fordham. Non-Fordham people who have attended Fordham functions with me always say that there is something different about Fordham. We share a special bond. I have always felt this affinity. I owe most of what I have achieved to the opportunities Fordham gave me. I received my license to go forward and be the best I could be.

"Each of us has had some experience in education that fell a little short and which we found objectionable. I think the rule we should follow is to take a look at all the good, and then follow the principle that 'I want to do and treat people as I should be treated, not as I was treated.' It is too easy to blame school, and overlook that you got your license here—that's where the focus should be.

"I try to use this standard when dealing with youth—I want to deal with younger people the way I want my children dealt with."

In conclusion, Mr. Feerick said that the Law School needs its alumni—"all the help it can get from them."

—G.M.M.



The Advocate

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Film At 11

By Mitchell Shron

On Thursday, September 18 in Dean McLaughlin's office, Biblio Juris, Inc. demonstrated its "small way of saying thanks" to the Law School community. Robert Keeley, on behalf of Biblio Juris, its founding members and the present staff of the not-for-profit corporation, presented a Panasonic Video recorder with an available light, color and sound camera to the Law School.

Crime At Fordham: Who's Next?

By KJ Nolan

Addison Metcalf, Fordham's faculty law clerk, was the victim of a senseless and infantile act of vandalism during the Labor Day weekend. As the law school was gearing up for another semester, Metcalf walked into his office at his usual 7 a.m. to discover that his office had been desecrated. Someone had gone wild with—appropriately—a child's crayon. Photos of Metcalf with luminaries of law and education were covered with scribbling. His name had been crudely scratched out of his diplomas and certificates. The walls of the Faculty Reading Room, where he keeps his desk, were covered with obscene and scatological slogans that mentioned him by name.

The first question was obvious: Who would do such a thing, and why? Probably, no one but the unknown perpetrator(s) will ever know the answer to that. But another

The entire unit, soon to be perched atop a rolling metal stand, had its debut in the Dean's office. On hand for the presentation were Deans McLaughlin, Hanlon and Moore, Doctor Teclaff, and Professors Fogelman, Hollister and Hadjiannakis. Also at the presentation were the founding members of Biblio Juris. Stuart McGregor, who started the bookstore in 1975 and is now practicing law in Florida, came up for the presentation. Mr. McGregor told the distinguished crowd that when Biblio Juris first opened its doors, it was given a small

question arises, and its answer is of importance to the entire law school: How did they do it so easily?

The Faculty Reading Room is located at the end of the first-floor faculty hall. The hallway is deserted on weekends, but anyone entering it must pass the guard's lobby post. A second entrance to the Faculty Room is found at the other end, and leads out to a connecting anteroom and the Lowenstein basement. During the day, the room is a frequent thoroughfare for maintenance and food service crews crossing between buildings. At night, both doors are locked, and the Lowenstein/Javitz crossover is alarmed.

According to Frank Leo, Security Chief of Fordham at Lincoln Center, the room is rarely that well secured. Faculty members and others using the room habitually neglect to lock the door when leaving.

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room on the second floor that is now part of the Law Review. It was not long before the bookstore had to expand to its present location in the basement of the Law School.

Mr. McGregor is now Chairman of the Board of the corporation. Also on the board are Louis A. Vicchio and Thomas K. Penett.

The present officers of the corporation are all third year students. Bob Keeley, president, Daniel Hayes, vice president and Michele Porto, the vice-president secretary were all on hand.

Also present were past members of Biblio Juris John Stein and Andrew Selitus and the second year students on the staff, Dan Ollen and Ed Hernandez.

Along with the presentation of the video camera, Bob Keeley also presented a letter to Dr. Teclaff promising the library up to \$1,000.00 to cover the purchase of books and services.

Biblio Juris is something that many students now take for granted. Few students are aware of what goes on behind the double yellow doors of its basement office.

Biblio Juris is a not-for-profit corporation, complete with a board of directors, officers, charter and corporate seal. As a NFP corporation, they do not pay any income tax.

Any profit beyond their operating expenses, as directed by the charter, must go directly to the Law School. Last year was the first year that Biblio Juris ran at a profit. It is a combination of last year's and this year's sales that have allowed the bookstore to be so generous to the Law School.

Almost all of the expenses that the bookstore incurs are paid for by Biblio Juris. The only exception is that the Law School rents the corporation the space now occupied by the bookstore free of charge. The place is run as a business. It is "not a clubhouse back here," says Mr. Keeley.

Books are ordered well in advance, based on previous year's sales. It is difficult to project requirements with total accuracy. One factor that will vary the sales from year to year on any given book is the professor who will be teaching that course in any given semester.

Last year, Biblio Juris had to return 27% of the books to the publishers. This year, for the first time, the bookstore offered Black's Law Dictionary. They sold out the first day and have gone through two reorders. They are also offering West's Multistate Review for the first time. The book, which lists for \$23.95 and is sold by Biblio Juris for \$21.45, offers outlines in constitutional law, contracts, criminal law and procedure, evidence, real property and torts.

According to Mr. Keeley, Biblio Juris offers almost every book that lists for over \$10 for 10% off the list price. The low prices are perhaps best reflected by the fact that students from other law schools in the New York City area come here to purchase their books.

The bookstore is a real business, offering its student-employees experience in running a corporation. Biblio Juris carries insurance, has Workers Compensation, is authorized and collects sales tax for New York State. "We do our level best," says Mr. Keeley.

Necessary Funds

In an apparent attempt to discomfit as many students and create as much friction as possible, the Bursar's office has, in all their wisdom, seen fit to further SNAFU the already-tangled red tape involved in paying tuition via student loans. Last year you could cash a student loan check in your savings or checking bank, then pay the (even then exorbitant) tuition fee with a personal check, Teller's Check or Money Order. This year, *The Advocate* has learned, students must instead relinquish the entire loan check to the Bursar's office, then await a refund check, which will supposedly arrive from three to five weeks later. According to sources at the Bursar's office, this new frustrating procedure is the University's response to a New York State law which went into effect on July 1, 1980. Mayhap such is indeed the case — we have no cause to doubt the bursar's veracity, and no choice but to abide by their rules in any case.

What is most infuriating about the new procedure is not necessarily its needless complexity, but rather the fact that the hapless, helpless borrowing student cannot draw on any loan funds in the interim to pay for his/her books.

As we are all by now painfully aware, law books are not cheap. Indeed, they can cost anywhere from approximately \$350 for freshman, about \$200 to \$250 for second and third year students. These estimates don't even include all those very necessary stationery supplies.

And, since most loan plan bureaucracies run according to a time-tested form — slow as molasses — the general rule is that the student doesn't get the loan check itself in his/her hot little hands until one to seven days before classes start. The safety margin is even slimmer for first year students, since many apply for loans rather late. Actually, the timeliness of any student's loan application appears not to alter this timetable.

What all this means is that those students who need funds the most urgently — those who *must* take out a loan rather than drawing on savings or relying on their parents for tuition fees — are the very ones who have, in the beginning, no money with which to buy books for the first, second, third, fourth, and probably fifth weeks of class. Notwithstanding second and third year students' claims that they don't read assignments for most of the semester anyway, this *sans-book* system is, to put it mildly, no way to get a law school education.

Worse yet, relevant offices in the University and Law School say they know nothing of the problem, and could not aid those students affect even if they did. The Bursar's office, of course, says they can do nothing. The Financial Aid office states that they cannot loan students even emergency/hardship funds for the purpose of buying crucial books — or, indeed, for any other purpose (ignore the fact that the office is incongruously titled Financial Aid [emphasis added]). The same is, unfortunately, true of Dean Moore's and Dean McLaughlin's offices.

Most, to be sure, are sympathetic to the student's plight. But Biblio Juris takes only cash or checks, not sympathy, in payment. All — offices of the Bursar, Financial Aid, Moore and McLaughlin — seem puzzled not only as to what can be done for such students, but also as to exactly where to refer the student in his/her search for funds. The Bursar says to call Dean Moore's office; Dean Moore's office suggests calling Dean McLaughlin's; Dean McLaughlin's assistants advise the student to call either the Bursar or Financial Aid.

Meanwhile, many students are quite probably without books or the funds with which to buy them, and the University holds onto checks for up to \$5000, for five weeks, without interest.

Something must be done. The Financial Aid office could easily budget for and lend out necessary funds to students with just this kind of need. The offices of Deans Moore and McLaughlin might also budget for such a contingency, and loan book money as the needy cases arose. At the very least, student organizations, or Biblio Juris itself, could arrange for needed loans or book credit (I.D. card to tuition receipt given as collateral, perhaps) until the Fordham "refund" arrived.

Ignoring the problem will not make it go away. It *may* cause financially desperate students (or even those not-quite-desperate) to fall irreparably behind in their work, or — worse yet — simply drop out.

The situation can only continue, since the aforementioned law will most probably continue in effect, and will most certainly become worse as loan plan bureaucracies inevitably slow down even further. Some remedy must be found. This is, after all, no way to run a major law school. Or a major university.

Ranking Rankles Students

By Daniel Heyman

This year, for the first time, Fordham Law students are venturing out into the market place without a rank. In the past, prospective employers had the luxury of knowing exactly where a Fordham Law student placed among his peers (e.g., 37th out of 245). While this system made the employer's task somewhat less onerous, students became increasingly annoyed with the picayune distinctions made by the system and utilized by employers.

For instance, since most students' averages fall between 77.0 and 82.0, as many as thirty students can have the same GPA when it is not computed to two or three decimal places. The result was that students whose grades were separated by a mere two points (e.g., 79.0 vs. 81.0) could have been *ninety* places apart in class rank. Many firms have a policy of interviewing only the top thirty-five students of a given

class. When strictly adhered to, this policy could exclude students whose grades were one-tenth of a point lower than those of students who were granted interviews.

Two years ago, with these inequities in mind, the SBA Placement Committee and the Alumni Association Placement Committee set out to evaluate the class rank system as it affected employment prospects for students at all levels of each class.

Members of the SBA Committee laid the groundwork, surveying "regional" and "national" law schools. Broadly stated, the survey found that almost all law schools with a national reputation did not rank their students (except, in some cases, for choosing Law Review), while most regional schools did. It was the consensus of the Alumni Committee that Fordham stood well above any of the regional schools surveyed and, from a New York law firm point

of view, was considered preferentially to a number of the national schools.

The results of a student referendum taken in Spring 1979 indicated that students favored elimination of class rank; 61% of the student body participated in the referendum, which asked students to vote "yes" or "no" on the abolition of class rank, and asked those who voted "yes" to vote for one of two alternative systems.

Of the 80% who voted for abolition, 53% favored a system which retained numerical grades, and disclosed ranges of GPAs for each class (e.g., 84.0=top 10%, 82.0=top 25%, etc.); 44% favored the "NYU system" of grading with "Honors, Very Good, Good, Pass, Fail" and disclosing established grading guidelines on student transcripts (Honors=top 7%-15%, Very Good=30%-40%, etc.).

After the SBA and Alumni Placement Committees reported their findings, the Curriculum Committee, chaired by Professor Fogelman, voted to eliminate class rank figures from all school records, and presented a plan to the entire faculty. After lengthy debate, the faculty voted to eliminate class rank and replace it with our present system.

The new system, while presenting difficulties of its own, does eliminate the prejudices inherent in class rank. Numerical grade averages are computed and rounded off to the next highest .5. This means that averages of 80.07, 80.20, and 80.49 are all rounded up to an 80.5. An 80.51 would be rounded up to an 81.0. While this seems to benefit certain grades more than others, it does eliminate the infinitesimal distinctions of the old system.

Recruiters are given the same information which students received this sum-

mer concerning the percentile categories of various grades.

In reading this information, some students were surprised by the phrase "*it is the experience of the Law School that students in the upper class attaining the following grade point averages fall into the following percentiles*" (emphasis added). This implies that, in fact, the actual percentiles for this year's classes have not been computed by the Administration. If this is true, the Administration should be reproached for its laziness. However, since Fordham has never suffered from grade inflation, the distribution of grades over the years has remained more or less the same.

One criticism of the new system is that the percentiles (10%, 25%, 50% and 75%) are too broad. While the class rank system divided a class into too many categories (as many places as there were students), this new system may create too few. A student who falls just below a given percentile takes quite a spill. One proposal that was apparently rejected by the Curriculum Committee was to set the percentiles at 5%, 15%, 25%, 30%, 50% and 75%. This would have remedied the aforementioned problem to some extent and would not have substantially hurt those who now fall in the top 10% or 25%.

Finally, the dilemma of what to put on one's resume troubles some students who fall in the middle of a percentile category. Elizabeth Walters suggests that a student put his/her grade average on the resume and then reprint the range of grades per percentile. If one estimates his exact percentile (e.g., top 30% or top third), he should clearly state that it is an approximation.



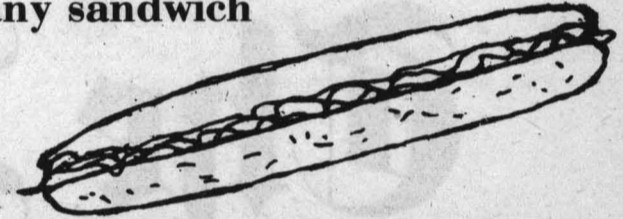
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TERMS OF ART

Radio Radio II: What's Going On

By KJ Nolan

As the audience builds, the numbers climb and the station owners suddenly have a marketable commodity. Suddenly the air is filled with increasingly uptight advertisers, administration take-overs, everything is sterilized . . . Suddenly there's no "community" out there, but a "share" of the "quarter-hour audience" instead.

Ben Fong-Torres, *Rolling Stone*

A shark needs to keep moving or it dies, and what we have on our hands is a dead shark.

Woody Allen, *Annie Hall*

"We haven't told you this, KJ . . ." The speaker paused for a sip of beer in Martin's. "We haven't told you this, but there's a lot of us here who really like WNEW. Who look forward to listening to it."

Indeed. The responses to *The Advocate's* Spring '80 closer, a eulogy to the recently defunct WPIX power-pop format, was encouragingly strong, and unsurprisingly negative. About half the readers considered "Rockin' Into the Eighties" flawless, a blessing from the Lord, immune to criticism. The other half were incensed over disparaging remarks about the folks at "Rock Lives," expressing not the slightest concern over its lack of commitment to new music. A few — a very few — persons of taste and distinction agreed with my remarks that New York rock and roll radio was stagnant.

I've been thinking a lot this summer, and I've been listening to a lot of radio. Now the new semester is upon us, and many of us have time for little else but the law and the radio. It seems like a good time to try and get a bead on the problem with radio in this town.

New York rock and roll radio is currently operating on a simple principle: people know what they want and want what they know. Towards this end, programmers who were on the forefront of free-form radio a decade ago are now putting together tight play-lists, making certain that the airwaves will be topheavy with top sellers. That's why the folks at "Rock Lives" are presenting little more than a stream of Bruce Springsteen, the Stones, the Marshal Tucker Band, Springsteen, the Doors, Rod Stewart, the Beatles, Springsteen, the Dead — did I men-

tion Springsteen? All of this is very good for those who like to stick with the familiar, and that seems to be the majority. But rock and roll was built on revolution, not limitation. Think for a minute, those of you who react to an unfamiliar cut on the radio with "What is this, why aren't they playing Pink Floyd?" Think about the first time you heard Pink Floyd. Think about the first time you heard *any* trendsetting artist. If it hadn't been for some adventurous dee-jay playing an album that some adventurous record company put out, we'd all still be digging on Snooky Larson in the Lucky Strike Spotlight. But rock and roll radio is a mirror of the music industry, and if the current state of radio sounds like the industry's been taken over by smooth-talking Agnew types, that's because it has.

It's no secret among those who follow this sort of thing that the music industry is in serious trouble. Gold records are fewer and further between. Even monster sellers like the Eagles and Led Zeppelin don't move the way they used to. Blame is usually placed on the passing of the baby boom, and a dying interest in rock and roll generally. Believe that, and you're probably convinced that the auto industry's troubles are the result of meddling government and greedy Arabs. The music industry is in trouble because it has gotten too cautious for its own good. Rock and roll isn't stagnant because there are no artists capable of creating new sounds and new directions. It's stagnant because record companies are too terrified of taking a chance signing such artists. Rather than risk the uncertainty of something new, they'll sign four hundred clones of whatever was selling last month. Consumers are not leaving this stuff on the shelves because they're older and paying mortgages. They're leaving it on the shelves because, friends and neighbors, they are *bored*.

If the record companies won't take a chance on new music, you can hardly expect the radio stations to do so. The companies and stations have an oddly symbiotic relationship. Ironically, this goes back to the days when FM radio was the only way the companies had to sell the new music. Now the A&R man from Warner Communications and the music director from your local "Rock Lives" sit and regale each other with assurances that some guy who is going to be an even Newer Bob Dylan than whoever was the New Bob Dylan yesterday, is really starting to "hap-

pen." Similar conversations produce the New Led Zeppelin (AC-DC, Def Leppard, Judas Priest), the New Fleetwood Mac (Heart, Carolyn Mas), etcetera. Occasionally, almost by mistake, something genuinely new slips by. In spite of the industry's efforts to ignore it, it becomes a hit, so then they clone *that*. (And Parker begat Costello begat Jackson begat Hyatt . . .)

All this could be shrugged off as the inevitable result of capitalism, if not for one thing: *That's not what rock and roll is supposed to be about*. Rock and roll started out as a swipe at the mainstream, and that included the mainstream of the music industry. Almost every major rock and roll band made its mark on pop culture by doing things that "weren't done." Chuck Berry was a Black man on White radio shows. The Beatles were white kids playing Black music. The Jefferson Airplane included extended solos and jams in their records and pioneered trick endings. King Crimson worked jazz and chamber idioms into a rock and roll context. None of these people would ever have made it onto vinyl if the record companies had been around to say, "Are you kidding, this will never sell." You'd never have heard them if the radio programmers had said, "Are you kidding, our listeners don't want to hear that."

That's why punk music was such a central issue in the controversy over WPIX. You may like it or you may not. (If you don't, listen to yourself; you probably sound a lot like your parents talking about the Beatles. "That's not music, it's trash! They look like bums, and they can't play and . . .") But punk has been the only major changing force in rock and roll in the 70's. When Scott Muni announced in 1977 that WNEW would not air "punk rock" records, it was little more than an announcement that Rock intended to live in the past. Of course, when the stuff started to sell, Muni renegged somewhat and granted some of the more innocuous "New Wave" bands airplay. The station progressed, but reluctantly, petulantly, like a flag-waving patriot sitting down to dinner with his long-haired son.

In the late 60's WNEW FM made its name by breaking the rules. By the late 70's, it not only followed the rules, it imposed new ones on itself. WNEW was one of the first AOR stations (album-oriented rock, instituted when no one in the industry could say "progressive" and keep a straight face) to institute horizontal pro-

gramming. That's why you'll hear only lightweight (the preferred industry euphemism is "upbeat") rock during the day or thudding heavy metal clone rock in the early evening hours. That's also why you don't hear avant-garde programming unless the insomniacs are listening. It's not just because this is what the dee-jays like. A public taste survey, using the sort of sampling methods that wouldn't get you a passing grade in Stats 1, has determined that this is what *you* like. If the morning man were to try to sneak in the Clash, or if his evening counterpart were to try the Roches, he'd soon get a discrete phone call explaining what people want to hear and pointing out the ease of replacing dee-jays who don't follow format.

What makes it all the more ludicrous is that no other music radio formats operate on such tight principles. Jazz stations, even commercial outlets like WRVR, constantly work new and obscure artists into their programming and strive to keep their perspectives as wide as possible. Classical stations are even more broad-minded; can you imagine calling up WQXR and demanding, "Hey, what is this Bartok stuff, man, play more Mozart!" Even the muzak stations don't feel compelled to play the same songs every day. Only rock and roll stations take this condescending attitude toward their listeners. They keep things drum-tight, under the impression that their listeners don't have the intelligence to absorb anything else. Call it upbeat if you want. I call it insulting.

The problem with arguing radio is that the people you're arguing with will just deny the truth of what you're saying. Sure they play new music, someone will say, they play the Talking Heads all the time. You then truthfully observe that you've heard them do so twice in the last year, and it turns into a "Yes they do! No they don't!" conversation that gets nowhere. Scott Muni constantly boasts that WNEW is not singles-oriented, but anyone who's heard them play, say, anything from the Vapors album but "Turning Japanese" is invited to stop by the *Advocate* office with documentation.

Rock and roll turned music around in the 50's. FM turned rock and roll radio around in the 60's. Will something turn FM rock and roll radio around in the 80's? Let's hope so. A decade of radio by the numbers is enough.

Next: Alternatives.

Secaucus' Sad 7

By Jim Duggan

For reasons that I've never fully understood, I've always had a particular affection for small, low budget movies. Part of it may be that I simply get tired of watching Francis Ford Coppola spend millions of dollars blowing up huge chunks of the Philippine islands in glorious, living color, only to be outdone by George Lucas who has by now reduced the better part of a distant galaxy to ashes. Or it may be that it always seems that the bigger a movie's budget is, the more it emphasizes special effects and production values at the expense of such mundane concerns as character and story line.

In any case, it is unfortunate that more and more with each passing year, a

few big budget films dominate the largest part of the nation's moviegoing dollar while some of the best movies of recent memory have died on the vine without ever finding an audience. The sad oblivion met by such fine films as *Big Wednesday*, *Head Over Heels*, and *Thieves Like Us*, to name just a few, bears this out.

Also, there's something really engaging about a young director, working on a shoestring budget, trying against all odds to put something worthwhile on film. The movies they finally make usually manage somehow to convey a lot of the enthusiasm and excitement that went into their making.

So, I was really prepared to like John Sayles's *Return of the Secaucus 7*. It was made on a \$60,000 budget, which may be less than next year's tuition. But, alas, fate had other plans for me. Sayles, a man of obvious talent, was nominated for a National Book Award for his novel, *Union Dues*, at the age of twenty-eight. Now, he is apparently looking for new worlds to

conquer.

Unfortunately, part of the problem is that his instincts are still literary rather than cinematic and his characters do little else but talk, intermittently with wit but always at length. This is the sort of movie in which characters go out for heart-to-heart discussions over cups of coffee, look at each other earnestly and say things like, "We've been living under the same roof, but . . . not together." The audience begins to feel as though it is at an audition for *The Edge of Night*.

The movie focuses on a group of people who had been close friends in the early seventies and were arrested together near the Secaucus entrance to the Jersey Turnpike on their way to the Moratorium in Washington, D.C. They jokingly called themselves the Secaucus 7 and now they are meeting for a reunion at the rural home of one couple in the group. So far, so good. The trials of young people of the sixties discovering that adult life will be different from what they had expected or hoped it to

be, seems like an idea that might give rise to an interesting flick. Joan Micklin Silver certainly used it quite effectively in *Between the Lines*, another sleeper of recent vintage.

However, the problems begin as soon as the group gets together and starts talking. They never stop. Sayles doesn't seem to realize that it is very monotonous to look at a movie screen for two hours when nothing much happens on it. He has his characters tell us about their problems instead of dramatizing them by placing the characters in a variety of situations and letting us watch them act and react.

When Sayles finally gets around to having his characters *do* something, he can be quite good at directing them. In one scene, the men in the group go out to play half court basketball and we see how each man's state of mind interacts with that of the others as their psychological games proceed simultaneously with the basketball game. Two men who are involved with

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Alternative Careers: There Are Two Views

By William T. McGinty

The lawyer's dream is to be in front of the court room, board of directors or high governmental officials, at the height of a crisis, and to be called on to resolve the problem at hand. Through his training and long preparation, he understands the scope of the problem and resolves the conflict successfully.

This training to develop an analytical understanding of a situation (and the discipline of preparation) are the purposes of these years of law school. But the place, position and surroundings in which you practice these developed skills is your own choice. Luckily the choices are endless.

Today lawyers are successful teachers, high school principals, college professors, real estate brokers, sport and rock agents, novelists, screenwriters, investment bankers, political advisors, elected officials, government administrators, corporate general counsels, directors and often chairpersons of the board.

Success can be defined as having determination over one's life. If this is true, then the lawyer's success or failure is determined by how true he or she is to personal goals. Both the associate at White & Case and the lawyer-turned-sports-agent succeed or fail depending on whether they have compromised their career objectives. A legal education does open doors. The choice of which doors is yours.

In a society in which 83% of all workers are dissatisfied with their jobs, we are blessed to be in a field that provides mobility, opportunity and a sense of freedom. With the requisite vision and the willingness to work, the lawyer can easily tune his skills to fit most any task presented in this modern society.

It is easy for students to feel insecure about their futures in the highly competitive market for positions in top firms. Most students worked long hard hours and still came up short of law review membership standards. Many students are dejected and disillusioned now that their plans seem so tenuous and uncertain.

But students must be selfish and act in their own best interest. Employers know that law review members will be taught to write and research correctly and precisely. This is why they are so highly employable. For the rest of us to be successfully employed we must also learn these skills, but it will be more difficult. We will have to demonstrate our skills to prospective employers through participation in the Moot Court competitions, writing for one of the other journals, experience gained in part-time employment and improved grades. The responsibility is yours.

EXAM NUMBER 332

Placement Office Correspondent

As October approaches, it is time again for second and third year students to begin considering the enticing world of alternative careers. In order to aid the student with this process, the Placement Office offers its Alternative Career Program, consisting of panels, seminars and

on-campus interviews.

Flaubert once wrote that "A good alternative career is like a run-on sentence."¹ An uncanny insight, and one that is especially relevant in these harried modern times. Yet, it is often the case that students shy away from alternative careers. With this thought in mind, the Placement Office provides the following services:

PANELS

Panels will be conducted by Fordham Law alumni. Panel members will discuss their alternative jobs in relationship to their legal education. The connection is often a very strong one. For example, Brian McNulty, head security guard at Hofstra Law School and a member of one panel, has stated that "Thanks to the skills I acquired at Fordham Law, it is easier for me to tell library books from non-library books when I check inside people's briefcases." Other panel topics are listed in the Placement Calendar.

SEMINARS

There will be no seminars. If you want seminars, set them up yourself.

THE INTERVIEWING PROCESS

In addition to setting up on-campus interviews, the Placement Office also provides counseling on the interview process.

The Placement Office feels it is important for the student to determine the special characteristics that each potential employer is looking for. For example, one interviewer for a particular warehousing concern states that "Grades, of course, are the starting point, but we consider many other factors as well. Is the student eager and ready to assume responsibility? Does he or she have poise, character, and integrity? And, most important, can the student operate a Gordan hydraulic forklift with Pingston drive?"



The Placement Office also advises students on how to prepare answers in advance for frequently-asked questions. The five questions that interviewers tend to ask the most are:

1. Is this number your grade point average or the year you were born?

continued on page 7

1. *The Letters of Flaubert, Volume I: The Wonder Years, Age 4-12* (1959). A majority of scholars agree that sentences like this explain why most of Flaubert's letters went unanswered.

2. Questions concerning viscous remnant magnetization are also popular. See *Geophysics Theory and the Law Firm Interviewing Process: An Inevitable Match*, 29 *Raritan Law Journal* 31 (1976).

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Tax Professor Gets The Highest Returns

By Victoria Erin Towns

Second and third year students taking Corporate Tax may have noted a recent addition to the Fordham Law School faculty.

He is Prof. Douglas A. Kahn, recipient of the George Bacon-Victor Kilkenny Chair for distinguished visiting professors. Prof. Kahn will be teaching at Fordham for one year before returning to the University of Michigan Law School, where he is Tax Professor.

Though the route from Michigan to Fordham has been fairly direct, the road Kahn took from private practice to teaching was somewhat more circuitous.

Before graduating from George Washington Law School in 1958, where he attended at night for the first year, Kahn clerked for the tax firm of Covington and Burling.

Six months later, upon graduation, he moved on to the Justice Department, as a trial attorney, where he spent two years in the Appellate Civil and two years in the Appellate Tax Departments.

In 1962, he joined a small five person firm, Sachs & Jacobs, specializing in tax law for two years.

"I had always wanted to teach," Kahn notes, "and I had approached several people at George Washington upon graduation to see if this was feasible. But I was gently dissuaded with the news that I would have to do several years of graduate work. Somehow, though, I never stopped looking."

One break, of sorts, came when his

first wife (also a lawyer) was invited to interview at Harvard Law for a position in their Legal Writing Department, and answered in the conditional affirmative. "She sent a copy of my resume," Kahn chuckles, "and asked that I also be considered." Harvard invited both Kahns to Boston for a "visit." (Such visits, or preliminary interviews, are traditional in the professorial profession.)

"Oddly enough, I was dubious about the whole thing," says Kahn. "I hate Boston—though I know many people love it. Then, too, I wasn't sure I wanted to leave practice for one or two years, perhaps to end up teaching at a school I wasn't really happy with. I wanted something a bit more permanent. And I didn't like the whole Harvard Mystique. There are any number of good law schools—Fordham among them—where quality prevails. What makes them good is teacher and student interest, not mystique."

After about a week at Harvard, Kahn was approached with a somewhat unusual proposal. "They told me, 'If we were to make you an offer, how soon could you accept?' They kept emphasizing the fact that this was not an offer. 'Understand, however, that we're not making an offer.' I said about a week." One week later, Kahn wrote declining the non-offer. "The head of the department came back to me. 'Perhaps you didn't have enough time to think. If you took a bit more time—understanding, of course, that this is not an offer—what might your decision be, if we were to make you an offer, which we aren't.'" Kahn

savors the memory, chuckling. "I told them that if they were to make me an offer—which I understood they weren't—I would decline."

In the meantime, Kahn surmises, Harvard had contacted the Justice Department for information about him. He believes that Lewis Oberdorfer, then Assistant Attorney in the General Tax Department and now Federal District Judge for the District of Columbia, alerted the head of the Personnel Committee at the Justice Department that Kahn might be interested in teaching. At that time, Hart Wright, head of the Tax department at Michigan, was looking for names of attorneys interested in teaching. "He probably contacted the Justice Department, and they mentioned me."

Returning from Boston to Sachs & Jacobs, Kahn received an ambiguous call from Allen Smith, then Dean of Michigan Law, inviting him to lunch. "I thought it was a mistake," recalls Kahn. "But I was jubilant. Though I had at first felt a moral obligation to Sachs & Jacobs, that was passing, and I was hoping that the lunch would lead to a teaching spot. I guess the firm knew what was going on the day I had my appointment with Smith—it was the first time that I was wearing a neat, pressed blue serge suit and had a completely neat desk."

The lunch did indeed involve a possible teaching position, though Smith advised Kahn that he wouldn't hear definitely until sometime in 1963. "I got the offer by letter in November of '63, and was ecstatic. But I

decided to let a properly decorous time pass before answering: I answered the next day."

Since then, Prof. Kahn has spent sixteen years at Michigan, teaching a variety of tax courses. Kahn is enthusiastic about the two courses he teaches at Fordham, Corporate Tax and Advanced Corporate Tax. "It's an easy course to teach. One reason is that many students are afraid of Tax. They think it involves high-level mathematics, so they come in expecting castor oil. But it really involves very little math. It's quite a fascinating subject. It does require knowledge of the regulations, and statutory construction and interpretation. I try to leaven it with a certain amount of my own enthusiasm for the subject."

On teaching methods, Kahn is flexible. "Part of teaching is entertainment, to be sure, but not all. Many other things are useful, even essential, to the good teacher. My most brilliant law teacher did not entertain. He also did not appear to prepare for class. Instead he sat for hours, thinking a complex problem through. As he thought, he would get into higher and higher realms. Unfortunately, when he came into class, he forgot to go back to the beginning—which can be pretty frustrating for the student—so each class began at an advanced level. But for those students who could follow him—and I could, occasionally—his brilliance more than made up for it."

Does he still love teaching? "Absolutely. There is nothing I would rather do than this. Nothing."

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SECURITY

continued from page 1

When this happens, entrance to the Reading Room is just a matter of entrance to the hallway. For a student, this is hardly a problem. But Leo stresses that on weekend nights, outsiders would also have an easy time of it. On regular rounds a guard has ten places to check in the building. Checkpoints are spread throughout the building, and a full round takes 10 to 15 minutes. The result is that every hour, on the hour, the front desk is abandoned for 10 minutes or more.

The attack on Metcalf's office probably was not the work of outsiders. But clearly, not all crime at Fordham is committed by students. Thefts are infrequent but recurring and are a consistent problem. Outbreaks of purse-snatching in the library and basement reading room occur periodically. Shortly after the current semester began, a purse-snatcher was working the school, and only the efforts of two students prevented the crime. Book thefts total approximately \$4,000 annually, according to Dr. Ludwik Teclaff, director of the library. Is security at Fordham inadequate?

Most would agree that it is. Assistant Dean Robert Hanlon is not among them. Dean Hanlon maintains what he calls a "very traditionally American viewpoint," that a laissez-faire approach to security regulation is vital to a civilized organization. Hanlon is adamantly opposed to a system where constant production of identification and submission to searches of bags and briefcases is required. "I am under no constitutional obligation to tell anyone who I am," Hanlon said. He acknowledges that a certain amount of loss due to theft is inevitable when security is relaxed. But he insists that under a stricter system, such as that used at Columbia or NYU Law Schools, prevention of "the loss in property is not offset by the loss in personal freedom."

Dean Hanlon said that the "tragic thing" about the Metcalf incident is that it was so obviously done by a student. Indeed, he almost completely discounted concern for outside perpetrators of crime at

Fordham. "This place does not exactly have a tremendous number of minorities present," he said. "Anyone coming in here who didn't belong would obviously be recognized as an outsider." Asked if he meant to imply that all outside criminals were members of minorities, the Dean simply stated that it was more difficult for people coming off the streets to "look like a student."

Security Chief Leo disagrees. "There are professional crews of thieves that go around hitting the colleges," he told *The Advocate*. Still he is sensitive to the issues raised by Dean Hanlon. He claims that "requiring ID's would be a good idea, but you have to weigh it with how people feel. You have to remember that you're in a University setting and people feel that they should be free to walk in and walk out." In Leo's opinion, personal vigilance on the part of the Law School community is the sensible answer. "The most important thing is for people to be on the lookout." He spoke highly of students Pam Gurfein and Nora Glancy, whose efforts made the recent purse-snatcher apprehension possible. He stressed that such individual security effort is necessary in a situation where "the climate should be conducive to a learning experience."

Disagreement on the needed means and degree of security at Fordham is widespread. In contrast, there is nearly complete agreement on the problem with increasing security. Like almost every unsolved problem at FLS, it is a matter of money.

Assistant Dean William J. Moore admits that the recent incidents would make the Law School Administration amenable to increased security. The University, however, is not convinced. Dean Moore summed up the Rose Hill attitude toward incidents such as the vandalism in Metcalf's office: "These things happen." Despite repeated requests for more thorough protection, Moore says that Rose Hill will give "not one whit more of coverage."

Security Chief Leo bears out this claim. He tells of coverage problems both in the Law School and in Lowenstein Hall. "It's up to them [Rose Hill]," he said, "to

look at it or to appropriate more money or whatever." Vigorous efforts resulted in the installation of a guard's booth on the Robert Moses Plaza. The University seems to feel that further increases in coverage are too much to ask for.

It's business as usual at Fordham. A financial tug-of-war goes on between the Bronx and Manhattan while the entire Lincoln Center campus struggles for as big a piece as possible from a very small pie. At the same time, the debate goes on over what security is needed. Most seem to want increased coverage, but Dean Hanlon is not alone in his condemnation of "Draconian measures of security." Frank Leo tells of the most perfunctory security measures being met with vehement resentment by students and faculty alike. Even Dean Moore admits that much of the opposition to increased security has come directly from the students.

Meanwhile, students keep a close watch on their belongings and eye each strange face with suspicion. Flushed with the memory of recent incidents, people are more careful about locked doors, and guards are less willing to bend the rules. Addison Metcalf had his wall painted and his plaques cleaned, and continues on his rounds trying to laugh the whole thing off. The rest of us wait, and wonder who's next.

SECAUCUS, *continued from page 4*

the same woman wind up hacking away at each other; a newcomer to the group, afraid that the others don't accept him, throws himself into the game with exaggerated ferocity, and the guy who was the jock in high school but now pumps gas, is once again in his glory faking his friends out with his old moves. However, all too soon, the game is over and everybody is back in the house recounting the sad tales of their lives and loves.

To make matters worse, the acting is extremely poor. Sayles used mostly unknown amateur actors and you may rest assured that nary a one of them is in the slightest danger of losing that status. Their work together resembles a *Saturday Night Live* sketch without the punch lines. The whole thing becomes really embarrassing

when the group goes to an amateur theatrical in town and pokes fun at the untalented players. We're supposed to laugh at the amateurism of the local thespians along with the Secaucus 7, but actually the poor stiff in the play are not much worse than the ones acting in the movie we're watching.

They are a pretty dull crew, these Secaucus 7, crawling dispiritedly towards middle age at a snail's pace. As the camera sluggishly followed their seemingly endless exploration of their own ennui, I found myself resolving to skip their next reunion. Most of you are luckier. You can miss this one.

CAREERS, *continued from page 5*

2. Do you know John Leo? (Inevitably, an ice-breaking question.)
3. What are your views on Axford's theories of field modulation with regard to isothermal remnant magnetization?"²
4. What's your sign?
5. Do you interview here often?

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