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University of San Diego School of Law Student Bar Association

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Moot Court Competition Results

Congratulations are in order for Greer Knopf and Jay Winters, the winners of the 1976 Moot Court Attorney-Client Competition. They will represent USD in the REgional Competition in Sacramento later this year.

The ABA sponsored Regional Meet will follow the same format as the competition just held in the County Courthouse. Students chose partners for a two-person team to pit their skills of interviewing their "clients" (predominantly first-year student volunteers). They were limited to 15 minutes per interview, and were expected to get the facts, be courteous & professional, and leave the client optimistic. Sounds easy?

This year 108 students gave it a try — a record turnout for this competition — and approximately one-fifth of the entire

student body participated altogether, including bailiffs, time-keepers, and clients.

Competitors were given a four-line "telephone memo" stating that a husband and wife called to make an appointment to discuss a contract for the sale of land. Light research into the problem was required and a checklist of major questions (which accounted for 20% of each team's score) was submitted to the Moot Court office.

The first evening of the two-night Competition was devoted to choosing the semi-finalists scheduled to return the next night. Four teams were assigned per courtroom to be judged by no fewer than three judges. The eleven teams with the highest overall scores of all the competitors (not per courtroom) were chosen as semi-finalists. They returned

the next night to compete against each other and were given new fact situations in the same area of law and were judged by different people. Of the semi-finalists, awards were given for best oralist (Al Fabbri), First place finalists (Greer Knopf, Jay Winters), Second Place Finalists (Al Fabbri, Howard Curtis) and Third Place Finalists (Tom Nelson, John Newton).

All was not smooth sailing, however. Many complaints were lodged regarding the selection processes of the semi-finalists and the judges. Often, constructive criticism given to competitors one night would be the subject of criticism when practiced the second night; the selection process was marred by the inevitable subjectivity of the judges (three teams were chosen due to the high scores given in just one courtroom). To try to compensate for

this judicial subjectivity, the high score and low score of each team on such categories as demeanor, for instance, were eliminated from the tally.

Still, the standards of the individual judges were as varied as the judges themselves. They were selected from attorneys who had judged the competition in the past, former Moot Court Board members, attorneys with private practices, and local prosecutors, all of whom volunteered their time.

Despite these problems, most contestants did not regret entering the competition, though most felt it did not accomplish the purpose of simulating a genuine attorney-client interview. The competition is an annual one, and the Moot Court Board not only extends its thanks to all participants but is eager to hear suggestions for improving the Competition next year.

the woolsack

Vol. 16 No. 4

University of San Diego - A Law Student Publication

October 14, 1976

Dig Deep, Students, Dig Deep

Dean Ducks Discussion



Dean Donald T. Weckstein sought student input last week on the law school tuition increase he will submit to a university-wide budget committee later this term. Since the dean made it clear at each of the two open meetings that a tuition increase of at least 13% was "inevitable," some cynics commented that seeking student input was more the result of considerations of public relations and ritual courtesy than a desire for substantive dialogue. However, if some found the sincerity and openness lacking, others found factual enlightenment and some even derived ironic amusement by attending the dean's presentations.

Using a beautiful overhead projector, Weckstein literally illuminated the situation with financial data which revealed that USD had the next to the lowest tuition and also ranked below average in faculty salaries among California's private nationally-accredited law schools. Unfortunately, some of the data could not be seen by some students due to the shortcomings of the projector and of their eyes. One who could see cited Humphrey Bogart's line to the

crooked boxing managers in *The Harder They Fall*: "You've got those figures trained so they'll jump through hoops."

Weckstein's figures showed that just less than 20% of the total law school revenue (of which total revenue 90% is paid by students) is allocated to "university overhead," i.e., expense not part of the law school's "fair share" of USD's total expenses. Weckstein had said that he had computed the law school's share of the expenses as one-third of the total. He revealed that no law school tuition pays for undergraduate football, which, he said, brings in revenue in excess of its expenses.

The dean professed ignorance when asked if "university overhead" included debt retirement or interest on the university's recent rental property acquisitions. He defended the payment of part of Vice-President for Development Gilbert Brown's large salary from law school tuition with the explanation that law school placement director Bill Cummings devotes only a small portion of his time to development and that it was Dr. Brown's development work

Continued on Page 4

Ben Spills Beans

By Jacki Garner

Ben of the Writs is no ordinary hash-slinger. He shares an origin with some of the finest chefs in San Diego (the one at Mr. A's included, if I'm not mistaken) — he studied culinary arts for 22 years in the U.S. Navy.

My first More Hall memory of Ben is of his voice — one of a medley of New York and New Jersey voices hotly discussing the virtues of various species of bagels. He's an Italian Brooklyn boy who joined the Navy to see the world. He was a ship's cook in the "Yangtze war with the pirates in 1932", and mingled with Marines in Shanghai: "you had to wear boots to visit the Marines — they lived in tents in mud and water half the time during the rainy season." He's one of the diminishing number of Pearl Harbor veterans — "There's not many of us left now — we're beginning to meet our Supreme Commander."

Ben would rather talk about his motives for becoming a cook than his medals: "I went cookin' because of the liberties — special privileges — girls, San

Diego High School." He met his wife of 43 years on liberty in San Diego. "I took her out of high school. We used to roller skate a lot at the old Mission Beach Roller Rink — it's not there any more. I met a lot of girls that way." He and his wife have three children. "My little daughter Sheri is a housewife." One of his boys is retired from the CID and now works as an investigator-agent for ITT in Brussels. His other son is in the Los Angeles Sheriff's Dept.

Ben tried retiring after 15 or 16 years as a cook on research vessels at the Scripps Institute of Oceanography. Life as the central organ of the UC Fleet is hard to get out of your system, and Ben, as we all know, likes to be a busy man. "Oh, I got sick and tired of layin' around" — so he came to USD to grace the Writs. Why here? "This job here? Oh! I love cookin'. It's a hobby." And working under Ben is fun. He has 3 students working in the day, and two at night, all a bunch of nice kids. Hard working and cooperative. And naturally I

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Attention Alumni

If you do not want to continue receiving *The Woolsack*, please tear off this corner with your name and address on it and mail it to us. We will than remove you from our mailing list.

the woolsack

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School of Law
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WOOL-SACK. The seat of the Lord Chancellor of England in the House of Lords, being a large square bag of wool, without jack or arms, covered with a red cloth. - Black's Law Dictionary

Guest Editorial

Let Them Eat Cake

By Bob Coffin

Once again the administration is considering raising tuition. With the predictability of a re-run grade B movie this means that: a small minority of students will complain, the administration will listen oh-so-sympathetically before handing out the usual lip service, and the tuition will go up by the predetermined amount.

Students, consider:
*you are paying the bills - students fees cover more than 90% of the operating expenses of this school. The comparable figure at other private law schools is 50%.

*You are treated like children by the administration notwithstanding the fact that in a few short years you are to be respected professionals. Your only real choice in matters which vitally affect you is limited to choosing your schedule of classes.

*You are expected to be awed by the administration's cloak of authority and accept their opinion as "expert witnesses" that another tuition increase is essential - even though you heard the same story last year.

Despite Dean Weckstein's reshaped lecture/slide show, the administration failed not only to justify an increase in tuition, it failed to adequately account for the sums they have already received. The administration's overworked mantra is "inflation", but the facts and figures in the slide show did not justify the alternatives offered us by the administration: to wit, tuition increase or greater tuition increase.

Is an increase necessary? Maybe. Yet why is there no student voice in where and how to spend the money? Or on the priorities of how to spend grant & foundation money? The administration casually tosses about facts and figures while ignoring the plight of the student body.

In case the administration is merely ignorant instead of sublimely insensitive, here are some facts that have been painfully obvious to us lowlanders:

*B of A, one of the few FISL banks left, has dropped the amount of post-grad loans to \$1500.00.

*This year alone the unmet need for financial aid (after loans, scholarships, etc.) was \$679,000.

*Only 15% of need in excess of \$2,000 was covered by NDSL.

*Over 60% of the present student body depends (in part) on some sort of financial aid.

*Last year 106 students had work-study jobs; this year only about 90 are employed. *Though the amount of individual scholarships increased (\$161,000 this year, \$142,000 last year) the money was divided between fewer students.

The administration has proposed a \$60,000 increase in available scholarship funds. That sum would not cover the lowest possible increase (never mind the base tuition itself) for even a third of the student body.

The situation is critical. The time has come for the administration to make a full disclosure of expenditures and attempt to justify a tuition increase in the face of the dire financial problem facing the majority of USD students.

Also to change incorrect priorities for expenditure of grants & gifts to the school to ameliorate the impact of the "proposed" tuition increase.

This University Health Service will inoculate for the swine flu commencing the last week of October. Members of the University community who wish to be inoculated should sign up at the Health Service, Camino-196, before October 15, 1976, so that the vaccine can be ordered. This service is free to students, faculty, and staff.

Letters to the Editor

Dear Editor:

Your recent editorial complaining that Mutual of Omaha was refusing to provide copies of the master policy is not a necessary complaint.

Legally speaking, the brochure that the individual insureds receive is the binding contract between the parties. Since the master policy nearly always contains more "fine print" exclusions than the brochure, it is clearly to the advantage of the insured to never see the master policy.

For legal authority on this, take a look at Humphry v. Equitable Life Assurance Society, 67 Cal2d. 527, and Evans v. Holly Corporation, 15 Cal. App. 3d 10zu.

Very truly yours,
Tyson and Churchill
Gordon S. Churchill

Editor's Reply:

I personally would accept Mr. Churchill's argument as persuasive by analogy, but feel compelled to note that the Mutual of Omaha policy complained of in our editorial of September 23 is one of health ("disability") insurance, and not employee group life insurance as in Humphry or credit life insurance as in Evans. Disability policies are covered in a different chapter of the Insurance Code. In a brief and rare visit to the law library, I found no cases comparable to those cited by Mr. Churchill which related to the sections on disability insurance. To my knowledge, there are no reported California cases on this point.

Dear Editor,

September 28, 1976

This is to disclaim the word "race" inserted in my article. The hypothesis I used in the original unedited article was intended to show that the people in power can and did fool the general public by victimizing a small section of people in order to achieve some political goal. I did not intend to make it an issue about races, and I deeply believe that there is no race problem here at all.

Sincerely,
Felix Kwan

Dear Editor:

I would like to thank the authors of the SBA budget article (9/23/76) for bringing the Computer Law Club (CLC) into the limelight by their critique of our budget. The critique has given me the opportunity to "dispel the ignorance" of the editorial board and others who have misconceptions about computer law.

Computers first became widely available about ten years ago. At present almost every business and profession uses them. Users include housewives who use microwave ovens, and car owners who have electronic ignitions in their cars. Computers are here to stay. Their widespread commercial use has created many related problems including some legal problems.

In anticipation of the legal problems that will confront lawyers with respect to computers, the American Bar Association has formed a separate section on law and technology. The Practising Law Institute last year alone offered several seminars on computer law. The 1975 Government Accounting Office Report contained an extensive section on data bank security, and many state legislatures including California are considering new laws to deal with control of data bank private information collection.

How do computers affect lawyers? In the contracts area, an attorney must be knowledgeable about computers when contracting for computer services. For example, it is reasonable for the risk of loss to belong to the company renting services if damage occurs to the computer terminal on company premises as a result of inadequate preparation of the terminal site?

Many lawyers do not realize they can save taxes for their company by the particular arrangement in contracting for these services. As an example, if software and hardware (programs and equipment) are sold as a package, a company may have to pay property or use tax on the whole thing, whereas if the two are sold separately, part of the taxes may be avoided.

Suppose a lawyer is faced with introducing a computerized business record as evidence. He must be aware of the problems of admissibility.

Or suppose the company wants to hire its own programmers. Often, any discoveries that these programmers make are not protected, because the attorney may not be familiar with the patent or copyright problems involved.

Regarding criminal law, consider the possibility that the programmers decided to use computers to defraud the company. A similar situation occurred in the 1973 Equity Funding case in Los Angeles, where the company suffered a \$2 billion loss. It is crucial for prosecutors and the company attorney to be familiar with computers. They must know how to prevent the loss of evidence without shutting down the whole computer system and crippling the business operations.

Suppose that a lawyer is not interested in business: Why might a personal injury lawyer be interested in computers? Legalized research retrieval is the answer. At present, there are two large companies that believe computers will be the answer to initial legal research in the future: West Publishing Company produces Westlaw, and the Mead Corporation produces Lexis. Also, some states like Ohio and Missouri have their entire state law accessible by computers. Under these systems not only is there instant access to legal research material, but your own material may be programmed for instant recall. The United States Attorney's office in San Diego, is handling several civil actions from corporations across the Country regarding the C. Arnholt Smith incident. It is considering using computers for handling the several hundred thousand documents collected as a result of the discovery process.

These facts refute the editorial's statement that computer law is of limited interest and opportunity. The area of computer law is a new area: There is no topic heading for it yet in the legal digests or indices. But the lack of a heading does not make it any less vital. The Computer Law Club goal is to acquaint USD students with these opportunities.

The CLC is not attempting to "raid... the public fisc for private advantage." Computers will be an important part of legal practice in the future, and the attitude the editorial displayed is both irresponsible and intellectually reactionary.

The CLC is planning a series of seminars open to all students and professors to give them the opportunity to learn about computers and the law. Anyone may belong to the club, regardless of their background in computers. The first meeting will be held Wednesday, October 20, at 12:00 and 5:30 in the SBA lounge. I encourage anyone with even the slightest curiosity to attend.

Sincerely yours,
Barbara A. Kovacs

Editor's Reply:

Ms. Kovacs' charges that our position is "both irresponsible and intellectually reactionary" betrays a misreading of our editorial. We did not denigrate the growing importance of computers in the practice of law.

The value of computers is obvious. Western State has recognized it and recently installed a Westlaw linkup and will offer classes in the use of computers in legal research.

We stated that there was limited student interest, not that there should be.

We stand by our position that the SBA should not fund educational opportunities for a limited number of students. If educational opportunities are to be SBA-funded they should be available to all interested students.



the woolsack

Published by the students of the UNIVERSITY OF SAN DIEGO SCHOOL OF LAW Telephone 291-6480 Ext. 313

The views expressed herein are those of the Editorial Board or of its by-lined reporters, and do not necessarily reflect those of the student body, faculty or administration unless otherwise specifically stated.

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Prompted by the Internal Revenue Service, the administration has requested that the Woolsack place the following statement in each edition so that the law school can maintain its tax exempt status: The law school does not discriminate on the basis of race, color, sex, or national or ethnic origin.

From the Editor

These facts are presented as a starting point for your cogitations on tuition, tuition increases, school policies regarding grant and gift and grant solicitation, and issues that unite a majority of students.

There were 979 enrollees in the school years 1975-76 and 1976-77. In 1975-76 532 students obtained Federally Insured Student Loans (FISL) worth \$1,118,535. In 1976-77, to date, there are 494 students with FISL and a projection of approximately 50 more entering the program. There is, as yet, no dollar amount available for 1976-77.

In 1975-76, 162 students received \$148,000 in National Direct Student Loan Program (NDSL). So far, in 1976-77 more students 182, are receiving less (\$103,000) in the NDSL program. Students will get NDSL for 15% of their need over \$2,000. The government puts up 8/9 of this money while the school covers the remainder. The effects of this sharp cutback will not be felt by most recipient students until next semester because NDSLs are granted in the fall.

The College Work Study Program (CWSP) in 1975-76 provided \$70,000 to 106 students. In 1976-77 only \$56,000 will be provided to approximately 90 students. The government pays 80% of this program with the school paying 20%.

In 1976-77, more scholarship money was granted to fewer students than in the previous year. In 1975-76, \$142,000 went to 80 persons, in 1976-77 \$161,000 will go to 79.

Last year, 1975-76, a program titled Student Life Funding permitted 63 students to borrow \$62,000. This program's loans were endorsed by United Student Aid Funds (USAF). It was funded by Aetna Life Insurance Company. Under this program students obtained loans and paid the 11% interest on them while still in school. The school had to contribute 1/9 of the amount loaned in this program. It has since been discontinued.

Sounds like sufficient money for students to meet their needs, right? Wrong. This year 63-67% of all USD law students qualify for financial aid. Unmet student need (need shown in the financial statements for which there is no FISL, NDSL, CWSP, USAF, or scholarships) will be \$679,000. This figure will increase next year because of tuition increases.

In the last two years, through the diligent efforts of those in the school's administration, the law school has received an average of \$12,500 in unrestricted gifts — an abysmally poor showing which reflects badly on the administration's efforts and on the generosity of the alumni.

Dean Weckstein proudly announced at the tuition meetings last week that \$50,000 was obtained for the courtroom/classroom to be built on the 3rd floor of More Hall. A faculty committee proposed that the courtroom resemble the Old US Supreme Court in the Capital Building in Washington. The committee recommended "period furnishing and appointments (to) recreate the ambience of the early 19th century." author's emphasis, USD Quarterly Law Notes, Spring 1976, p. 6. The Dean also stated that the courtroom will cost better than \$300,000 before finished.

Editorial Comment — What a delightful combination for students — a classroom with the ambience of the 19th century and a tuition with the inflation of the 20th.

We applaud securing grants and extraordinary (restrictive use) gifts. We strongly urge the administration to redouble and redouble again their efforts to obtain gifts and grants that can be used to lessen the devastating impact of tuition increases on students.

Of course, the government is at fault also with the insane paper work requirements they have placed on lenders participation in the loan programs.

In view of the situation outlined above unmitigated tuition increases are particularly inappropriate at this time.

Students fees cover more than 90% of the operating expenses of the law school. Students possess, in their checkbooks and pockets, an extremely potent weapon — the power of the purse. In light of decreased financial aids this year a tuition strike may be as unavoidable as it is desirable. —Editors

Another Letter

Dear Mr. Josephson:

I recently signed up for your BRC Programmed Learning System Course (PLS). As required, I submitted a \$50.00 deposit toward the full cost of \$375.00. I was able to take advantage of your \$30.00 discount offer, since I enrolled before October 15, 1976.

I subsequently learned that BRC is offering an "extraordinary opportunity" to students presently enrolled at the U.C. Davis and McGeorge Schools of Law. As I understand BRC's offer to these two schools, if students enroll in your full PLS Course, Limited Service Course or Dry Run Course before October 15, 1976, BRC will reduce the course cost by \$50.00. This reduction is in addition to the \$30.00 discount BRC is offering other enrollees throughout California. The result is an economic savings of \$80.00 for U. C. Davis and McGeorge law students, but only a \$30.00 savings for other enrollees, including University of San Diego law students, including myself.

I believe this offer is indeed an "extraordinary opportunity." I feel it is extraordinarily unfair and discriminatory to law students at other law schools.

If the purpose of this offer is to break a stronghold BAR has on enrollment at these two law schools, your offer seems wrong-minded. Students at the other law schools have traditionally given BRC strong support, and you are now "rewarding" them by discriminating against them.

Unless BRC withdraws its \$50.00 offer to U. C. Davis and McGeorge law students, or extend it to all persons who enrolled before October 15, 1976, I will not be a good-will ambassador for the BRC course. I ask only even-handed treatment, and I simply think that you should treat students at all law schools equally.

Very sincerely yours,
Nanci G. Clinch

Calendar

- Nov. 8 Classical Guitar: The Chamber Music Co-op will be held in *Camino Theatre* 8 p.m. — Open to the public. Donations appreciated.
- Nov. 19, 20 & 21 "TWO TO THE BAR": "Trial By Jury" and "The Devil and Daniel Webster" — A Legal Double-Header presented by the USD Music Department with members of the University Chorus and USD Opera Workshop. Performances begin at 8:15 p.m. Nov. 19 & 20, Nov. 21 at 2:15 p.m. Admission — Adults \$2.00, Non-USD Students \$1.00, USD Students 75 cents. Tickets available at the door day of the performance — *Camino Theatre*.
- Nov. 9 Steve Allen, pianist composer and talk-show host, 8:00 p.m. *Camino Theatre* General Public \$2.00, Non-USD Students \$1.00 Tickets at the door.
- Nov. 15 Rod McKuen, best selling contemporary poet and singer, 8:00 p.m. *Camino Theatre* General Public \$2.00, Non-USD Students \$1.00 Tickets at the door.

HAVE YOU DONE YOUR RESEARCH?
CHECK **bar** AND COMPARE.



TALK TO YOUR **bar** REP

Bottom row (from left to right)— Chris Bologna, Carrie Wilson. Middle row (from left to right)— Nikki Westra, Brian Seltzer, Katie McGuinness. Top row (from left to right)— Andrea Ponticello, Phil Aurbach, Bob Willey, Barb Kovacs, Brandon Becker.

A Faculty Monologue

The Petitions Committee

As most of you know, the faculty as a body has legislative jurisdiction over academic matters. It thus makes, amends, and repeals the academic rules by which we live. All of us, faculty, students and administration are bound by those rules. However, from time to time the application of a particular rule to a particular student has presented an extreme hardship, a gross inequity, been purposeless, or otherwise indefensible. Petitions from such aggrieved students for relief previously were submitted to the faculty as a whole for decision. There is no question but that such a procedure was unduly time-consuming and, in many instances, provided only a dilatory form of relief to the student. Last year, at the urging of the Dean, the faculty assigned its "grievance" jurisdiction to a reconstituted Petitions Committee. The Committee is composed of six full time faculty members and three alternates, all drawn by lot. The luck of the draw produced a Committee today consisting of myself and Professors Ciesielski, Freeman, Kelleher, Navin and Philbin as members, with Professors Imwinkelried, Krieger and Lynch as alternates.

Since last summer the Committee, to my knowledge, has heard nine petitions. Most, but not all, were petitions for readmission to the law school submitted by students who had been dismissed for academic failure. In seven cases the Committee found exceptional circumstances and granted the petitions. In one case the petition was denied; and in one the Committee considered itself without jurisdiction to act on the petition. In all cases, but one, the student petitioner was accorded the opportunity to appear before the Committee and be heard, with counsel if the student so desired. The one exceptional case was

that of a petition which, in the judgement of the Committee, was of such obvious merit as to warrant its being granted without a formal proceeding. Sometimes the Committee's vote was unanimous. Sometimes a majority-minority split obtained, and on one occasion the Committee divided evenly. When the Committee's vote is evenly divided, faculty rules provide that the student may petition the faculty as a whole. (In the case to which I refer, the student did this and the petition was granted.) In all other cases the decision of the Petitions Committee is final. In petitions by students for readmission to the law school, the Committee is required to prepare a written opinion in support of its decision. In other cases it is optional with the Committee to prepare a written opinion.

I tend to think of the Committee as a Chancellor in Equity, granting dispensation from an *existing* rule in cases of great hardship, inequity (sic), or technicality without reasonable purpose. Thus, I do not think of the Committee as presently having a legislative function. By this I mean that I do not see our Committee as being vested with authority to write rules where there are none or to amend the faculty's existing rules. I hasten to add that this view is my own.

How does one petition the Committee? Very simply, by submitting a written request to Dean Lazerow or to any Committee member. Just state what the rule is, why its application is unfair to you as an individual, and what relief you desire. Needless to say, and this is important, we shall expect you to have exhausted available remedies with the administration or the faculty member concerned *before* coming to us for relief.

I am aware that under SBA

Sponsorship a movement is presently under way to have one or more students added to the Committee. Since that matter is, as I understand it, presently pending before the Student-Faculty Relations Committee I think it best that I defer and refer comments on such a proposal to that Committee.

Dwan V. Kerig

ABOUT THE AUTHOR . . . Professor Kerig attended Texas A & M before graduating from the University of Texas Law School in 1950. He is a retired Lt. Colonel from the U.S. Army, has been a teacher since 1957, and a law professor at USD since 1967. His work as a teacher of Evidence, Criminal Procedure, and International Law earned him the University-wide honor of Outstanding Teacher of 1975. He also chairs the Petitions Committee.

Ben Cont.

work hard to pick out the best I can find."

Ben took a minute at this point to call over to one of his helpers to "Give a little stir on that pan" then went on to reminisce about the old days, in the ship's commissaries. "In Black Hawk — China — we had Chinese coolies takin' care of us, shining up the ship and everything. All the sailors did was supervise and drink beer and have a ball. That was the old Navy — riding rickshaws around town."

The smell of something good was coming from the stirred pan; I had often wondered how Ben concocted such really good entrees at such a reasonable price. "Oh, I get the stuff from the main galley — the main cafeteria — I bring it down here and doctor it up with garlic and spices and beef fat and beef base — See, they don't sell it up there, I make it sell."

The school schedule serves him well. "Since I been here I made a three month trip on the Thomas Thompson, a ship from the University of Washington. I was a cook. I flew down to Lima, Peru — actually, Callao, to pick up the ship this summer. Next summer I'm going to Europe for the Marine Biologists out of Miami or Woodshole." Here, he took me into his confidence: "There's money to be made and fun to be had, so why let it go by without doin' something about it!"

Comments on how to improve the Writs? "Yeah, let's get a new stove!" Pause. "Soon as possible. Oh, and the tables should be buffed down and painted over." I saw shades of the Pearl Harbor spirit up against a cunning and hostile administration. His words about "the

Neither Weckstein nor Wang had any immediate answer.

Another student drew some laughter with the comment that some professors deserved a salary cut because of inability or unwillingness to teach the courses. Weckstein assured him that all increases would be made on a merit basis. According to the dean, who hands out the raises himself, *merit* would primarily reflect teaching ability.

Prof. Grant Morris added that if salaries at USD did not remain competitive, the instructors liked by the students as good teachers would be more likely to leave than the poor teachers because of the former's greater ability to find positions at the better-paying schools.

The planned modification of the third floor into a legal services center which would include a replica of the old courtroom of the U.S. Supreme Court came in for some criticism at the meetings. At one, the courtroom was compared to the Palace of Versailles as a monument to ego constructed while people starved. Weckstein said that the courtroom would not cost students anything. His questioner responded that he understood that funds for the courtroom's construction were being

heroes that never were paid back. We had an outstanding repellent force — we fought back. In Singapore, they just took it without a struggle."

As I struggled to summon out of the noblest depths of my soul the power to confront a tasteless rehash of the commerce clause, I thought again of my first morning at law school, when New Jersey voices filled the dank void of More Hall. "Two days in a row, Ben — no O.J." Scuffle and loud deliberation about the unsound delivery practices of certain concessionaires. Time and the Bar Exam take their toll of old soldiers — the voices are gone now, or issue from different New Jersey throats. But Ben remains, a tribute to stability in this flux of a world of ours. And Ben doesn't try to resist change for the worse by laying down, either. "I'm going to make sure we get the old kind of coffee cups back. These paper ones are no good. Here, wrap this napkin around it, it will burn your hands carrying it." Thanks, Ben — and hey, how about getting some real cream again, instead of that non-dairy product whiter for coffee they've got now, too, ok?"

ADS

For Sale — 1973 VW "Super Bug", sunroof, 49,000 miles, new brakes, \$2350. Call 453-2559.

Help Wanted — Janitor, 15 hrs. per week, Pt. Loma office building, \$2.75 per hr. Call 224-6927.

Woolsack editor needs roommate for 2 bedroom apartment 1 block from Pescadero Beach in scenic South Ocean Beach. Large living room, small kitchen, yard and a very nice landlord. Pets a distinct possibility. Call 291-6480 ext. 313 during the day and 224-1871 at night. \$125 per mo. approx. \$6 utils.

FOR SALE: 26 gal. aquarium. Complete with stand, filter, light, gravel, fish, etc. \$48. Call Ellen or Phil 225-1659.

PLACEMENT

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2. Law Clerk — General practice — wants someone for periodic projects. Submit resumes for DCF job to placements.

solicited from wealthy individuals, but that he also understood the concept of opportunity cost — apparently alluding to that concept in economics and implying that persons who donated for the courtroom would donate less for student-related expenses later.

At the second meeting, a student claimed that the courtroom would benefit students about as much as the Great Pyramid benefits the peasants of Egypt. Weckstein reiterated his own position and added that the courtroom could serve as an additional large classroom. He had previously stated his opposition to any increase in the number of full-time students.

While the first meeting ended with evidence of intense feelings on the part of some students, the second — concluded not with a bang but a whimper. There simply were no more questions — perhaps the students had resigned themselves to the inevitable.

Following submission of the proposed budget with the increase to the university-wide budget committee, it will go to the "University Cabinet" composed of President Hughes and the deans and from there to the Trustees. The last two groups make the real decision on the tuition increase's amount. They, of course, meet in secret and without any student participation.



Double cross a friend.

Dean Cont.

which obtained the initial \$50,000 contribution for the construction of a courtroom replica on the third floor. (More on the courtroom later.) Weckstein was not asked about the similar salaries of President Author Hughes and Vice-President for Business Jack Boyce and their contributions to the law school.

Weckstein expressed sympathy for students over the curtailment of various governmental loan programs, another common student complaint, but had no solutions. One of several faculty members in attendance, Prof. Bill Wang, discussed the possibility of a co-operative loan guarantee program. He noted its cost would be high. Prof. Larry Alexander suggested that the SBA investigate the methods used by students at other schools to cope with even higher tuition.

Several students told Weckstein they could not afford to continue at USD if crushed between falling resources and rising tuition. They suggested that enrollment might decline if tuition went up. The dean doubted that that would happen in view of the large number of applications for admission. One student commented that the population's size would remain constant and that only demographics would change. Another

added that a new requirement for admission (money or parents with money) was being added constructively to the catalog. Weckstein said he hoped that the school would not become one limited to the very rich and the very poor. He said that more scholarship money would be made available under one of his proposals.

Several students questioned the figures on tuition costs at other California law schools by asking how much tuition at other law schools was offset by increased financial aid. Weckstein said he believed their financial aid picture was as bad as USD's but brought out no supporting figures.

In response to some comments adverse to a faculty salary increase, Prof. Wang commented that a salary increase was necessary to avoid a "real income" pay cut caused by inflation. A student said he agreed that "the laborer is worthy of his hire," but noted that Keynesian economists consider "cost of living" increases to be exactly that: mechanisms which simply increase the cost of living in the next income period. He asked Wang whether the burden of inflation should be carried by students, whose incomes were fixed or decreasing, or by professors, who were active in a competitive labor market.