

4-27-1979

Woolsack 1979 volume 19 number 12

University of San Diego School of Law Student Bar Association

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the woolsack

Volume No. 19, Issue No. 12

University of San Diego — A Law Student Publication

April 27, 1979

FATHER QUINN REMOVED FROM PUBLIC POST

Law Ethics Professor Accused of Misusing Funds

by Spencer Busby

Father John Quinn, a Catholic priest and Professor of a course entitled "Professional Responsibility" at the University of San Diego Law School, was quietly removed from a public post last September after subordinate workers accused him of misusing agency funds, the *Woolsack* has learned.

Quinn, who was director of Catholic Community Services (CCS), a \$1.6 million a year social service agency that receives over half of its funds from the government, was charged by three CCS employees with redirecting CCS money to his personal use.

The alleged expenditures included more than \$11,000 for remodeling Quinn's personal residence, a USD-owned apartment. The employees displayed CCS checks and receipts that indicated Quinn had spent \$2,823

for Oriental rugs, \$699 for air conditioners, \$450 for a refrigerator and thousands of dollars for other items.

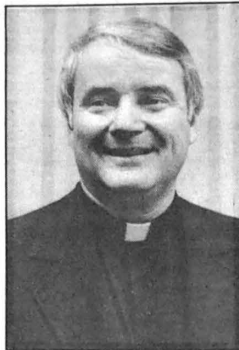
ORIENTAL RUGS & A BMW

Quinn said he considers none of his CCS expenditures for his apartment extravagant. About the Oriental rugs, he said, "I did that for the diocese. They retain their value. In the long run, that would be better (than other rugs) for the diocese."

He said he did not know if purchase of expensive Oriental rugs by San Diego priests is common, but he said, "I've seen plenty in parishes on Long Island (N.Y.)."

The apartment is provided to him by the University of San Diego, a Catholic university.

Quinn called the employees complaints about extravagant expenditures, including the leasing of an expensive BMW automobile for his personal use with CCS funds, "irrelevant."



Father John Quinn

"I think the whole thing is part of a power play by the employees," Quinn said. "I don't believe their complaints are justified and I think they are using them to get some financial remuneration."

No criminal charges have been filed against Quinn, though he was removed from the CCS directorship by San Diego Bishop Leo T. Maher on September 11, 1978, six days after the employees threatened to take the information to the press or the district attorney's office if Quinn were not removed.

AUDIT ORDERED

Maher also ordered an audit of CCS, after which he reimbursed CCS with a diocese check for just over \$11,000 "to avoid any possible interpretation that the funds were being used for his (Quinn's) personal use," according to a diocesan spokesman, James Bastis.

"Some people in reading the facts," Bastis said, "might consider what Quinn did improper."

"He acknowledges that (the CCS expenditures to remodel his apartment) may have an appearance of impropriety," commented USD Law School Dean Donald Weckstein, after conferring

with Quinn. "But he's done nothing to cause us not to rehire him."

Weckstein said the law school has invited Quinn to continue teaching "Professional Responsibility" there next year, and Quinn told the *Woolsack* that he plans to return to his teaching post.

EMPLOYEES PRESSURED OUT

Meanwhile, Quinn has been appointed director of another diocesan office, the Family Life Center. The employees who initially complained about Quinn's CCS expenditures met a different fate, however. During the months after Quinn was removed, one was fired, another's position was eliminated and a third finally quit because of "pressure."

The former employees, Dr. Robert Kamman, David Driscoll and Joan Armbruster, are now seeking redress. Their case is

continued on page 7

BUT MEMBER STRIKES BACK

Weckstein calls Scholarship Committee member "Paranoid"

by Spencer Busby

Dean Donald Weckstein described a member of the Admissions and Scholarship Committee last week as having a "paranoid disposition," according to confidential documents obtained by the *Woolsack*.

Professor William Velman, the Committee member who Weckstein was referring to, had complained that the Scholarship Committee failed to disclose important detailed information helpful to students in submitting scholarship requests.

Velman wrote a five-page addendum of "footnotes" to explain a public report on scholarship information formulated by the Committee for publication in the *Woolsack*. When the Committee voted to exclude Velman's footnotes in the final report, Velman slipped them to the *Woolsack*. (See Page 2 for a complete text of the Scholarship Committee's report).

Among other omissions, Velman said the Committee failed to note that two-thirds of the approximately \$300,000 allocated for USD Law School scholarship assistance is earmarked for "diversity" group applicants.

USD determines "diversity" group members from those who

check item 22 on the USD Financial Aid Form, which reads, in part, "USD has a special program for educationally or economically disadvantaged students. If you believe you would qualify for such a program, please check this box."

UNWARY STUDENTS LOSE \$

Velman told the *Woolsack* that students who unwittingly fail to check item 22 automatically forfeit any chance of receiving up to two-thirds or more of the available scholarship monies.

Velman also warned that students who fail to check item 22 will likely be limited to "smaller bits and pieces of financial aid, such as one of the two or three or four hundred dollar grants-in-aid or perhaps an 'activity grant' sometime during three years in law school.

"But one of those will never be the equivalent of a full tuition scholarship, the kind the student is not eligible to compete for even though he perhaps carries better credentials both in terms of need and in objective admissions qualifications and maybe even in terms of his 'diversity' contribution.

Velman said a non-minority student from Oregon could qualify for diversity money even

though he might not possess all sorts of unique "diversity" attributes.

He recommended elimination or redefinition of the present item 22 diversity criteria, claiming that "the world may be full



Dean Weckstein

of applicants who don't necessarily claim past-years educational or economic disadvantage, but who are presently darn well in need of some financial assistance to go to law school."

Velman further accused the Scholarship Committee of deliberately withholding financial

information "because it might incite its recipients to want to make some changes or take some action."

Velman said his requests to the Committee for more openness have been met with such statements as "the students don't really need it" or "What would they do with it anyway?" or "It will stir up trouble."

(SIC) PERSON'S PARANOIA

When Velman's footnotes were received by Scholarship Committee Chairman Dean Navin, they were immediately sent to Dean Weckstein instead of included in the public report.

Weckstein returned the footnotes, with a confidential note to Chairman Navin obtained by the *Woolsack*, which reads: "This is one person's (sic) interpretation. We have generally met all 'reasonable' requests for information and in fact make

available to faculty and students much more information, especially financial, than most law schools."

Weckstein then added, "But one with a paranoid disposition is not likely to accept the 'reasonable' limitations."

WECKSTEIN UNAVAILABLE

Dean Weckstein was in Virginia this week and unavailable for comment.

"You can't print that without the Dean's permission," said Associate Dean Navin.

"Be good . . . It's graduation . . . try to reward it," pleaded Beth Scott, Dean Weckstein's secretary.

When asked his reaction to Weckstein's comment, Velman replied "It's real odd. I think I'll just let it speak for itself. In any event it bears the gross defect of being wholly non-responsive

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LETTERS TO THE EDITOR

LETTER TO UNIVERSITY OF SAN DIEGO SCHOOL OF LAW STUDENTS

As members of the Admissions and Scholarship Committee we want to thank the *Woolsack* for providing us with the opportunity to inform you of the financial aid process at our law school.

Approximately 70 percent of the U.S.D. student body receives some form of financial assistance while attending law school. Tuition scholarships full or partial, activities grants-in-aid, and loans are the types of assistance available. The policy for distribution of non-loan funds and their actual allocation is determined by majority vote of the Faculty Admissions and Scholarship Committee which consists of five members - the Associate Dean of Admissions plus four members, appointed by the Dean. Loan funds are primarily provided by outside sources which have their own procedures to follow and more can be learned by checking with the Financial Aid Office.

At the present time there are 20 entering full-tuition scholarships - five "merit" scholarships and 15 "diversity" scholarships. The merit scholarships are awarded to financially needy students who had the best undergraduate GPA's (at least 3.0) and the best L.S.A.T. scores (at least 650). Approximately 15 entering diversity scholarships are distributed among those students with financial need whose presence U.S.D. will assure a "diverse student body" in accordance with the following criteria recently adopted by the faculty:

1. The strength of the motivation of the applicant to study law.
2. Diversity of career ambitions such that it is likely all elements of society can obtain adequate legal representation.
3. Race and ethnic origin.
4. Extraordinary educational or vocational achievement.
5. Leadership potential.
6. Maturity.
7. The extent of disadvantage and history of overcoming disadvantage.
8. Diversity of economic background.
9. Diversity in academic background.
10. Place of residence.

The merit and diversity scholarship money is awarded as full and partial (usually half) tuition grants. Diversity scholarships include an allotment for books which goes to only one of those dividing a single scholarship. All first year merit and diversity scholarships are allocated.

Recipients of first-year merit scholarships continue to receive this assistance in their second and third years if they maintain an average of 78 or better and continue to establish financial need. Recipients of first-year diversity scholarships continue to receive them so long as they remain in good academic standing and continue to establish financial need.

Fifteen full-tuition (\$750) summer scholarships are awarded to those diversity addressees whose enrollment in the first year class is conditioned on attending the summer session prior to their first regular semester in the law school. There is also money available to defray the expenses of upper class diversity students for summer school courses taken to lighten their regular year loads (but not for purposes of accelerating graduation).

Additional funds including any derived from merit and diversity scholarship money not continued are earmarked for distribution to needy second and third-year students who file in the preceding year written "miscellaneous requests" for financial assistance. The criteria (in addition to financial need) for allocation of this money are academic performance and/or involvement in law school activities such as S.B.A., *Law Review*, *Moot Court Board* and *Woolsack*. Grants primarily for academic performance are designated "tuition scholarships" and those primarily awarded for activities are designated "activities grants-in-aid." The amounts awarded recently have ranged from \$250 to full tuition.

University of San Diego, state and Federal loans are the other forms of financial assistance. In each of the last two years, \$40,000 has been set aside for U.S.D. School of Law Loans which take the form of a \$200 credit toward a semester's tuition, repayable one year after leaving the law school. Financial need is the only criteria for these loans. The remaining loan money is made available by the state and federal governments in programs described in pamphlets available in the Finance Office.

The foregoing is a summary of our financial aid program. We want to stress that the Committee acts to treat each request for financial assistance separately and gives it individual attention. Each committee member strives to provide all applicants with a fair hearing on how well they meet the criteria of need, scholarship, involvement in activities and contribution to educationally desirable diversity in the student

body. We are not bound by rigid rules or formulas. It is frustrating to have to reject the requests of so many qualified applicants each year but the limited amount of resources available forces us to do so.

Thank you,
Admissions & Scholarship
Committee
Prof. Kerig
Prof. Krieger
Prof. Navin
Prof. Velman
Prof. Wohlmut

KISSING ASS

Open Letter to Professor Wohlmut; The *Woolsack*: Dear Professor Wohlmut,

Thank you for your presence in this law school. Your efforts at teaching the law, as it is, are appreciated. I especially appreciate your refusal to cater to demands of students who would like "the Law" spelled out to them. I fully appreciate that you don't refuse to do so out of some diabolical grudge, but rather from a knowing that to present "the Law" as something clear, fixed, and straightforward would not only be a great disservice to your students, but would also be dishonest.

I, too, have been one of those frustrated students who thought "something was wrong with you" because I was getting no sense out of your class; because you were not giving me the answers I wanted; because I didn't know backwards from forwards; which way was right or wrong, good or bad.

But the frustration has pretty much been overcome, and in its place I am rediscovering an awareness that I can only view the world through my own eyes, rather than through your eyes. Your viewpoint is valuable . . . as guidance . . . as a counterpoint; but it can only be your viewpoint (one person's viewpoint). No one has a monopoly on the truth (not even Cardozo or a Corbin). And to look to others to give me the answers is an abdication of my own responsibility to *have* a viewpoint. What I most appreciate is your wise "inability" to tell me what's right and wrong. I must do that for myself. And so must all of us. Thank you,

T.S.
First Year Student

MORE POOLE

To the Editor:

Articles and an editorial in the *Woolsack* have highlighted problems with Law Review selection criteria, and the controversy continues. It should be noted that all students get a "free"

subscription to the *Woolsack* paid for by tuition, placing San Diego Law Review among unread bestsellers like the *Bible*. With this much of their money involved, more students deserve an opportunity to participate and express their opinions as to management policies, at least to the extent of their ownership interest.

A law school should be the last place where earnest articles on constitutional law are published by a staff to whom equal protection of law and due process are but abstract concepts. While

all about them students and faculty are wringing their hands over admissions and employment policies, the Law Review has made a mockery of "equal opportunity" by requiring aspirants to qualify by their arbitrary (yet subjective) standards at their chosen time. No thought was apparently given to future students who may be able to join the Review only after their first year, for a variety of reasons.

Why must all Law Review members be forced through the same mold? Perhaps the staff could accept a few lesser mortals as associate members to proof-read, sweep floors, etc. in the hope of absorbing some wisdom from their "betters."

James K. Poole

COMMON LAW MARRIAGE v. MARVIN

Dear Editor:

Re your Marvin article:

Whatever happened to "common law marriage"? Back in the good old days, before big-buck lawsuits and billion-page-long

California codes, once people had been living together in a conjugal situation (without benefit of matrimonial sacraments or civil nuptials) for a certain period of time, they were deemed married.

Sort of like a statute of limitations on free fun and food, and demonstrative of the wise understanding of the old law, that a "slip of paper" really didn't mean everything as against the "married behavior" of the couple itself.

The Marvin decision does show a growing awareness by the courts that a woman at the end of a six-year relationship is quite similar to a woman at the dissolution of a six-year marriage.

Sincerely,
Jacki Garner
USD alumna and
former *Woolsack*
editor (1977-78)

TORT BINGO

Congratulations to Paul Meares who won the \$33 Bingo Pot in Professor Friedman's evening Torts class, April 19. Thanks goes to Bob Bavas; and Ron Frazier who instituted the game and to Professor Friedman for being a good sport. A good time was had by all.

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The *Woolsack* is published bi-weekly on Fridays, except during vacation and exam periods. Because of space limitations and because the *Woolsack* strives for factually accurate copy, all contributions are subject to editorial review and possible abridgement, although every effort is made to maintain a writer's original style.

The objective of this paper is to inform the law students of USD, and the San Diego legal community - our two primary sources of funding - on pertinent, timely, and provocative legal issues and events.

The views expressed herein are those of the Editorial Board or of its by-lined reporters and contributors, and do not necessarily reflect those of the student body, faculty, or administration unless otherwise specifically stated. Editorials are collectively determined by members of the Editorial Board, which consists of the editors cited below, excluding staff. Unassigned articles are the responsibility of the respective page editors. Editorials are the ultimate responsibility of the Editorial Board Chairperson.

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FLASH - PEREZ CASE DECIDED FOR STUDENTS

SAN FRANCISCO - A law student certified under State Bar rules may participate in presenting the defense at a criminal trial, the California Supreme Court ruled yesterday.

The 8-to-1 decision written by Justice Mathew Tobriner held that participation did not impair a defendant's constitutional guarantee of effective counsel.

Leaving USD (or) Taking Heroin and Finding God

by Spencer Busby

After a round of drinks with my uncle in 1976 — the year before I went to law school — he sat me down and told me why he had dropped out of law school. "Law school is the labyrinth of chicanery," he proclaimed.

After dropping out of law school (NYU), he proceeded to become a successful New York Times Editorial Board writer and television commentator.

I have thought of his statement often in my three years at USD. I've seen many of my friends change, losing their senses of humor and irrationality and idealism, and acquiring reasonable, rational and prudent legal minds. I suppose the Law School will again be congratulating itself May 20 when they graduate and spit out another crop of future lawyers whose minds have been transformed from "mush" into reasonable and well balanced technical instruments. Three hundred more people "thinking like lawyers." Just what California needs.

In many ways it's a sad three year evolution of the human mind. I've found myself struggling throughout to retain my sense of humor, irrationality and personal integrity, as reflected in my stormy term as editor of this rag. Sometimes I wonder if the end product of a well-trained legal mind isn't "mush."

FIRST YEAR COMPETITION

Unfortunately, many first year students I've talked to seem to feel that being in law school necessarily requires them to convert to competitive personalities. So they start a race in the first year for grades, push themselves to make law review, and sacrifice something of themselves in striving for "the top."

They enter USD, as I did, with open minds and free spirits. They leave as legal technocrats.

POSTER POLICIES

The Law School and the Law Library have adopted "Poster Policies." All posters, notices and leaflets of a commercial nature to be posted in the Law School must be confined to the bulletin board between the S.B.A. Office and the S.B.A. Lounge. All posters, notices and leaflets of a commercial nature to be posted in the Law Library must be confined to the bulletin board opposite the main desk at the entrance to the building.

There are other ways to go through law school, however. Try to remember what motivations brought you to law school in the first place: that is, before some law professors told you not to take your beliefs too seriously.

The point of this introduction to my thoughts on leaving USD is not to say that the key to success is to drop out of USD after your May finals. Rather, it is to suggest that you can still have an educational, successful and somewhat tolerable three years at USD even if you don't make up the top 10 percent of your class and law review. In fact, not making law review and top 10 percent may make it more tolerable.

THIRD YEAR RELIEF

There are many different philosophies and choices one makes in going through law school. Despite the course requirements in first year, second and third year students are given considerably more leeway when it comes to deciding what to do with their time.

In my own experience at USD, I never fought hard for grades — particularly after I achieved my best grade on a first year exam that I'm sure was my worst. I also never wanted nor attempted to make law review (I could think of nothing more boring — and I wouldn't want to work for the type of employer who placed primary value on the sight of "Law Review" at the top of my resume). I found work on "The Woolsock" and other newspapers more engaging.

I also avoided taking courses simply because they were on the Bar Exam, and instead selected a more engaging curriculum. Much of my learning took place outside of class — in clinics, clerking, newspaper writing and editing, and other more practical experience. I also learned a great deal from doing such things as interviewing illegal aliens in federal prison and listening to a bank robber talk about his subconscious motivation to be with his wife in prison.

The underlying premise that has guided me through law school is that one can challenge the system by learning the methods employed by the rich and elite.

Others go to law school to join the system, fit in, and achieve financial "success." To me law school has always provided an opportunity to master the ways of the system in order to most effectively challenge and work to change it (just as a defense attorney can be a more effective advocate after working some time in the State or U.S. Attorney's Office and learning the tricks of the trade).

I'm thrilled to be getting "off the hill" in three weeks. For those of you who have more time to do here, just remember that there is more than one way to spend your three years in law school. Strive to retain a perspective on who you are and why you are here, and don't let anything — not even a few low exam grades — dissuade you. Uncle Jack and I will drink to your success.

Alternative Summer School — Camp USD

by Amy Wrobel

If your only summer job offer came from your mother's cousin, the attorney in Buffalo, consider USD alternative summer school. Classes will be tuition free; students are encouraged to give professors imaginative gifts. Course offerings include:

Vaudeville for Lawyers: Show your clients that you, too, are a regular guy, if not a buffoon. Learn a sidesplitting impression of Justice Cardozo at the height of his powers; study comedic aspects of the Socratic Method; how to write legal humor (all student work becomes the property of the instructor); 1000 Jokes for Juries; Legal Ventriloquism. The top two students will receive clinical internships at a resort in the Catskills.

Tarts: Taught by a visiting professor from the William Prosser School of Hotel Management. Students will begin by baking a simple intentional tart and progress to that deserved masterpiece, the three layer Products Liability Tart. When served to juries, they invariably ask for seconds and award large recoveries. In lieu of a final examination, there will be a bake-off judged by in-house counsel for Sara Lee.

Why Am I Here? A Philosophical Inquiry: Designed for first-year students, but open to the disaffected. Discussion topics include: Self-Realization through Pain — Legal Education; Canned Briefs — The Ethical Dilemma; Inner Peace Through Intramurals; Using the Library — Intellect Triumphs Over Squalor; Nietzsche Revisited — The Lawyer as Superman; Writing the Ultimate Exam — Pursuit of the Platonic Ideal. This course will be taught in a hot tub.

Lawyer to President: An intensive examination of one man's career. Required reading: RN by Richard M. Nixon. Students must obtain the text dishonestly. Special emphasis on: Making Mediocrity Work for You; Choosing Your Spouse; Choosing Your Children; Witchhunting Techniques; Elements of Poor Grammar. The final project will consist of a multi-media presentation on New Ways to Subvert the Constitution. Be creative! Students must receive a grade of C or lower to get course credit.

Interior Design for Lawyers: Offered in response to student demand for more practical courses. Includes a guest lecture by Mr. Sean of Beverly Hills, who will speak on "Setting a Mood With Shag." Also covered: Enhancing Your Fees With Furniture; Using Color to Inspire Confidence; Lighting and Litigation; Dramatic Diplomas; Where to Buy them, How to Hang Them; Dressing Your Staff; New Directions in Office Equipment. Have a terrific summer.

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Defense of a Federal Criminal Case

by Marty Steele

U.S. ATTORNEYS OFFICE

Recently the United States District Court, Southern District of California and Federal Defenders of San Diego, Inc. held their 1979 Seminar on Strategy and Tactics in the Defense of a Federal Criminal Case. The seminar was conducted on three nights in USD's More Hall.

Attendance and completion of the seminar is a prerequisite for admission to the Criminal Justice Act (CJA) Panel. Attorneys from the CJA Panel are appointed by the U.S. District Court to represent defendants in Federal cases who can't personally retain an attorney. The seminar is also open to interested law students.

The first night was lively as the speakers included the District Court Judiciary, the U.S. Attorney's Office, and defense attorneys. The second night was entirely defense-oriented and the third night included defense attorneys and U.S. District Court judges.

EVOLVING STANDARDS OF COMPLETION AND THE CJA PANEL

Chief District Court Judge Edward J. Schwartz disagreed with the growing attitude of the public and in the profession, that many attorneys today lack the competence to take a case to trial. Judge Schwartz supported recent proposals by a committee headed by Judge Edward Debit. The committee has proposed some model rules including the fulfillment of two major requirements before an attorney can be admitted to practice before the U.S. Courts. They are:

- 1) Passing an exam for Federal Practice and Procedure
- 2) Participation in four trial situations.

Supplemental education in Law School is also advocated including trial practice courses and actual in-trial situations.

FEDERAL DEFENDERS

John J. Cleary, Executive Director of Federal Defenders, described the operation of his office. Federal Defenders is funded totally by the U.S. The staff consists of eight attorneys, four bilingual investigators, six secretaries and two legal research assistants. A local board of 13 attorneys sets the policy. Defenders represents those who are financially unable to employ counsel to litigate in Federal Court. They maintain a Motion Bank and a Brief Bank and Mr. Cleary stressed the organization's desire to maintain accessibility to attorneys who want to practice in the Federal Courts.

U.S. Attorney Michael H. Walsh gave an outline of the organization, policies and procedures of the U.S. Attorney's Office. The U.S. Attorney's office consists of the Criminal and Civil Division. The Criminal Division is broken into General Crimes (short-term investigation) and Special Prosecution (long-term investigations like fraud and narcotics).

One policy of the office is that in most cases they will take a plea to only one count. Sentence bargaining has been eliminated except in cooperation cases and unusual circumstances. The U.S. Attorney's office professes to have a liberal discovery policy and their files are open. Mr. Walsh also stressed the approachability of the lawyers in his office.

MAGISTRATE COURT

U.S. Magistrate J. Edward Harris gave a view of the structure of the Magistrate Court. A U.S. Magistrate is the only Federal Judge that has to be a member of the Bar. A Magistrate issues warrants, complaints and search warrants and presides in preliminary exams, removal hearings and extradition hearings. Under the Bail Reform Act (18 USC 3141-50, 1966) the U.S. Magistrate handles bail proceedings. Magistrate Harris' advice to attorneys in Federal cases was to concentrate on excellent bail and sentencing arguments because a plea is going to be entered in 80 percent of your cases.

GENERAL DEFENSE OF CRIMINAL CASE

In defense attorney Howard Frank's opinion, the single most important factor in the defense of a criminal case is establishing a good relationship with your client. Also important is educating a client about what is going to happen at each stage of the trial, and keeping in continuous communication with the client.

Mr. Frank felt that bail and sentencing were the two most essential aspects of a case to an attorney because he can exercise the most control over these stages. Further advice from Mr. Frank included: prepare your client for probation, make notes of every communication regarding each case and never hesitate to call someone and ask questions.

DISCOVERY

Howard Allen, Assistant U.S. Attorney explained his office's discovery policy. Mr. Allen claims that discovery in

Southern California is extremely liberal, in fact he states "we'll do the investigation for you." He also emphasized that the liberal discovery policy is a "privilege, not a right."

The Omnibus Procedure is a system which enables the defense and prosecution to get together and share discovery at the outset of the case. U.S. Attorney Allen also explained the meaning of a "flip-flop case" (a case in which the defendant is charged with both a misdemeanor and a felony). A defendant may be allowed to plead to the misdemeanor and the felony will be dropped. But if the case goes to trial and the defendant hasn't made an arrangement to plead to the misdemeanor then both charges will be prosecuted.

TRIAL MOTIONS

Eugene G. Iredale of the Federal Defenders discussed pre-trial motions. Pre-trial motions can set-up reversals on appeal. They can help in trial strategy through severance and dismissal for double jeopardy. They also prompt the prosecutor to be reasonable with your client.

Mr. Iredale stressed the importance of the "Speedy Trial Act" when its time limits take effect on July 1, 1979. After that time a defendant must be arraigned within 30 days of his arrest and must have a trial within 30 days of his arraignment. Failure to meet these time limits is grounds for dismissal of the case.

MATERIAL WITNESSES IN ALIEN CASES

Chief Trial Attorney R. Williamson of Federal Defenders stated that there are two main thoughts to keep in mind while representing a material witness in an alien case: how to get him out and how to protect him.

First, he outlined various steps on how to get a witness released: At bail review try to get him out on bail. At the initial appearance try to talk him out, take the case up to District Court for review or try to get depositions. 18 U.S.C. S 3146 is regarded as a guide to getting a client out on bail.

Material witnesses often need protection because they are frequently turned into defendants, sometimes in four or five cases. A good protective maneuver is to ask for immunity in exchange for a witness's testimony.

SENTENCING: A JUDGE'S PERSPECTIVE

U.S. District Judge Gordon Thompson, Jr. was very candid in expressing his philosophy on

sentencing. Judge Thompson felt "the name of the game" was to know the judge you are going before, and to know what he wants. He also stated that you "can't expect a judge to be right all the time, not even part of the time."

Factors Judge Thompson considers in sentencing a defendant were:

- the crime itself, its severity
- the strengths and weaknesses of the defendant, his family and his background
- society's interest, the deterrent value to others
- society's protection; is the defendant a menace to society
- the future of the defendant

Judge Thompson stated a judge may sometimes base a decision on his gut reaction. He also felt that a sentence should be geared for punishment rather than rehabilitation, "like taking him out behind the woodshed."

One final bit of advice the Judge gave was "if your client is dirty, really dirty, plead him and get him out, fast!"

Tapes of the entire seminar are now available at Federal Defenders (Central Federal Bldg. Third and Broadway, 8th floor) and will be available at the County Law Library in a few weeks.

GRADE YOUR PROFESSOR

Evaluate your professors with numerical scores similar to the way they evaluate you. Give one grade for each professor by each class. Remember that the average of all the scores you give must fall into the 73 - 77 bracket. You may also care to include one line, 10 words or less, describing the professor's performance in class.

Drop the completed grade forms into the S.B.A. grade box located in the S.B.A. Lounge. You may use a similar format for more grade forms on your own paper if extra space is necessary.

These forms will be counted and used by SBA members in a Professor evaluation in the fall.

| | |
|-----------------|----------------|
| Professor | |
| Course | |
| Grade | Comments |
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Establishing "Financial Need"

by Jim Poole

Establishing financial need is critical to qualifying for most scholarships and loan programs. (See *Woolsack* March 9.) In most cases even those eligible for merit or activity "grants-in-aid" at the law school will not be awarded funds exceeding their annual "unmet need," and only the Federally Insured Student Loan program (FISL) has dispensed with the requirements that need be established.

pendence, requiring the student's parents to complete a confidential financial statement. To encourage the paranoid, the form notes that, if used to establish eligibility for federal student financial aid funds, "any person who intentionally makes false statements or misrepresentations on this form is subject to fine, imprisonment or both, under . . . the U.S. Criminal Code."

GETTING PERSONAL

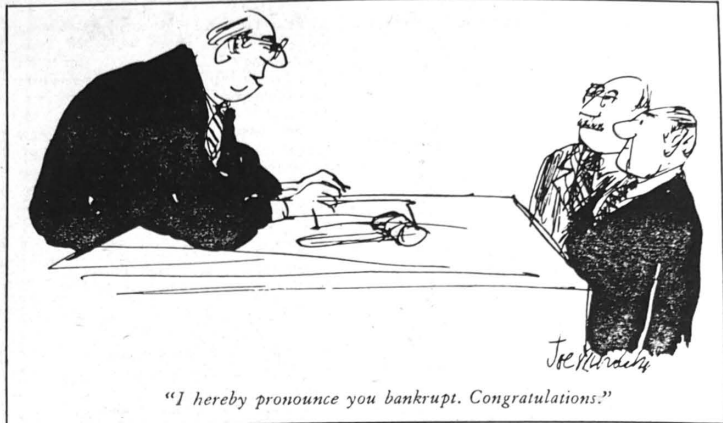
Most of the basic personal info will be easily completed by students. A possible exception involves marital status. In addition to asking one's status (married, unmarried, separated) one is asked to enter date of intended marriage, if planned before July 1, 1980. These facts are significant, as spouse's earnings and/or assistance from spouse's parents, affect one's estimated contribution and thus, *UNMET NEED*. Oddly, the form does not request expected date of divorce, even for separated students.

SO WHAT'S "ASSISTANCE"

Financial "assistance" from parents (student's or spouse's) includes "food, housing, clothes, medical/dental care, cash, gifts, cost of education, etc." Students who spent less than six weeks of the past year with their own parents, should calculate the fair market value (assuming their parents didn't charge a daily rate) for food and housing during family visits with either their or spouse's parents to determine whether they have crossed the \$750 threshold. Students wishing to minimize the declarable portion of parental assistance may find it helpful to brief their parents carefully on property and tax law. An interesting issue to analyze might be, "when is a gift not a gift?" Perhaps when it's a loan, as in large tax-free loans, income from trust funds or the use of a car registered to another?

STUDENT'S INCOME—TAXABLE AND OTHERWISE

Consideration of the student's income (and that of the spouse) is all-inclusive, but divided into earned income, other taxable income, nontaxable income and benefits, plus scholarships, education loans and work-study wages. Keeping track of the categories and reporting completely are important, but one need include only student aid which has actually been awarded. (Early submission of the FAF may be helpful to some in this area.)



"I hereby pronounce you bankrupt. Congratulations."

Although one is asked to forecast earned income, etc. for the coming academic year, Millie Gunther points out that one needn't be over-optimistic if unemployed in San Diego, unless one's skills are in demand or an agreement for later work is in hand. The "non-taxable income and benefits" category appears all-inclusive, extending to child support for student's children (but perhaps not for those of the spouse only), welfare benefits and unemployment compensation.

EXPENSES: REASONABLE OR EXTRAORDINARY?

The student's expenses include federal income tax *paid* (not merely withholding figure) and *itemized* deductions claimed — if one takes the "standard" deduction, a zero is entered. Medical and dental expenses not covered by insurance are to be listed, but *not* medical/dental insurance premiums. Since one is asked to forecast for a year, this may be the time to evaluate the possibilities of elective surgery, ski accidents, etc. Casualty or theft losses which were uninsured, less \$100 for each loss, are entered here. A student who is eligible for financial aid may be able to increase his *unmet need* by enrolling the kids in private schools, thus getting a dual benefit from the tuition paid. Item 62, "Other Unusual Expenses" suggests creativity. The student is asked to list expenses for housing, food, transportation, child care, taxes, etc. which are considered "extraordinary." Resist the temptation to list the cost of a La Jolla beach pad, dining out and Ferrari. Child care, however, could be a significant factor regarded with empathy, and heavy taxes might offset somewhat the effect of equity in real property. Don't forget your auto insurance! Also included are other expenses associated with handicaps, funerals, *legal*

fees and assessments on property (one of the few breaks for property owners).

ASSETS AND INDEBTEDNESS: THE BOTTOM LINE

As mentioned earlier, excessive net worth may eliminate *unmet need*, and the possibility of receiving financial aid other than loans. One must be accurate and proper, but not over-optimistic, in listing assets. In listing cash, savings and checking accounts, amounts already received through educational grants, loans or scholarships are *not* counted. It may be pertinent to note if savings accounts are certificates which involve a withdrawal penalty.

One's home, other real estate and investments (stocks, bonds, trusts and other securities) are to be listed at fair market value, accompanied by unpaid mortgage principal or related debts. The same principles apply to business or farms owned by the student. If operating an illegal business (or farm), see your lawyer before proceeding further — perhaps you don't need financial aid after all. If your assets are likely to overpower your liabilities, you may wish to consider upgrading your transportation — Corvettes, Jags and Porsches are popular in California — or "investing" in fungible collectibles, neither of which are to be listed on the FAF.

Debts are included with assets to which they are related, or listed under either consumer or "other" indebtedness. Although educational loans are included in the latter, special criteria may exclude some debts if you haven't organized your life according to the categories provided. Additional obligations are considered under "Student's additional info" — dependents and income tax exemptions. Here, fair consideration is given for a

student's family obligations, including "any other persons only if they now live with and receive more than half their support from the student."

WHO NEEDS THIS HASSLE?

Although the internal contradictions and loopholes of this system may give rise to humor, horror or both, it is basically an efficient and equitable way to provide data on which awarding institutions can set priorities for grants and loans. The information is confidential, releasable to schools, etc., only with the student's permission. Even though it seems complicated, it is a good way to evaluate one's financial position and forecast future needs. And when financial disasters strike mid-year, it's much better to have a FAF on file than to start from scratch, as Millie Gunther points out.

SOCIAL SIGNIFICANCE OF SCHOLARSHIPS

"Financing Legal Education" (*ABA Journal*, Dec 78) noted that in law schools nationally, half of all scholarship grants were direct rebates of tuition, with 90% of the funding coming from tuition income. Thus, "students paying full tuition charges are in effect subsidizing those who receive scholarships." The wealthy may pay double, in the form of full tuition, contributions and taxes which fund subsidies for others, while the financially disadvantaged reap some of the benefits and enjoy upward mobility.

With tuition levels now comparable to basic living expenses, many middle-class "full-fare" students must resort to student loans, graduating with debts of \$10-15,000. The *Journal* pointed out that such high debt levels, coupled with sparse employment opportunities for lawyers in some areas could put pressure on the ethics of the legal profession.

LIKE MONOPOLY: "DO NOT PASS GO . . ."

Millie Gunther, Financial Aid Secretary, reported that "most law students are financially independent of their parents, at least after the first year." CSS checks this out, — Did (or will) student live with parents for more than six weeks during 1978, 79, 80? Did (or will) parents claim student as a U.S. income tax exemption for these years? Did (or will) student receive assistance worth more than \$750 from parents during same years? A "Yes" answer for any question for any year removes the presumption of financial inde-

Calendar: April 29 — May 20

APRIL

- 29 **OKLAHOMA.** Presented by USD Musical Theater. Thurs. through Sat. at 8 p.m. and Sun. at 2:30 p.m. in USD's Camino Theater. USD students \$1, other students \$1.50 each and general admission \$2.75.
- 26-7 **BOOK AND MUSIC SALE.** Sponsored by Friends of the Library and Friends of Music. French Parlor in Founders Hall, USD. Thurs. 9:30 a.m. — 9 p.m. and Fri. 9 a.m. — 3 p.m.
- 27 **TAKING THE MAGIC OUT OF MANAGING MOTIVATION.** Update breakfast seminar presented by USD School of Business. Galleria Room, La Valencia Hotel in La Jolla, 7:30 a.m. — 9:30 a.m. Registration is \$15. For information call 291-6480 ext. 4318.
- 28 **MILITARY LAW.** Seminar presented by the National Lawyers Guild, 9:30 a.m. — 3:30 p.m. at Western State, Room 204, 1333 Front St.

MAY

- 2 **MILTON BERLE.** Presented by the Speaker's Bureau. 8 p.m. in USD's Camino Theater.
- 4 **A CASE FOR COMMON STOCK.** Update breakfast seminar presented by USD School of Business. Galleria Room, La Valencia Hotel in La Jolla, 7:30 a.m. — 9:30 a.m. Registration is \$15, for information call 291-6480, ext. 4318.
- 9 **START THE REVOLUTION WITHOUT ME.** Film Forum at 7:30 p.m. in Salomon Lecture Hall, DeSalle's Hall, USD students 50 cents, general admission \$1.
- 14 **EXERCISE AND NUTRITION — GUIDE TO REDUCING STRESS** Presented by San Diego County Bar Association. Noon in SDG&E's Auditorium, 101 Ash St. Free.
- 20 **COMMENCEMENT.** 10:30 a.m., USD campus.

SUPREME COURT PROBLEMS — DUE TO EX-LAW REVIEW CLERKS?

by Jim Poole

Associate Editor David Pike of *U.S. News & World Report* reviewed current problems of the U.S. Supreme Court in the March 26 issue — "Supreme Court Trials and Tribulations." As one concern, he cited "a growing worry that the clerks may be contributing to what many experts see as a decline in the Court's ability to produce clear rulings in the cases it is able to hear."

Stanford University Law professor Gerald Gunther (holder of this year's record for fattest text) was reported to see "a direct correlation" between increasing numbers of law clerks and opinions that are "getting longer, fuller of tangents, and, in that sense, somewhat more confusing." (Emphasis added.) Gunther claims the clerks "are so often enthralled by their work that they go off on some points of personal intellectual interest that the Justices, in the rush of time, allow to slip by." According to Pike, an unnamed lawyer who clerked on the Court last term agrees: "Almost all clerks wrote for the law review in school and have a style that is loaded with footnotes and details but is short on in-depth analysis and imaginative thinking." He noted, "With the heavy workload, clerks write at least the first drafts and sometimes a lot more in a good percentage of opinions."

Could it possibly be true that law review writing style contributes to social problems?

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 July 13, 14, 15 ... Los Angeles, Bonaventure Hotel, 5th & Figueroa Sts.
 July 16, 17, 18 San Diego, Half Moon Inn, 2303 Shelter Island Dr.

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 Colorado - 88%
 Connecticut - 90%
 Delaware - 72%
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 Florida - 80%
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 Illinois - 86%

Kentucky - 82%
 Maryland - 80%
 Massachusetts - 85%
 Michigan - 86%
 Mississippi - 94%
 Missouri - 92%
 Nevada - 86%
 New Jersey - 71%
 New Mexico - 100%
 North Carolina - 100%

Ohio - 85%
 Oklahoma - 100%
 Oregon - 94%
 Pennsylvania - 100%
 Tennessee - 88%
 Texas - 95%
 Virginia - 88%
 Wisconsin - 100%
 Wyoming - 83%

*statistics based on all students releasing their respective state bar exam results to Multistate Legal Studies Inc.

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Weckstein—Velman Fight . . .

Continued from page 1

since it wholly misses the point. "It is not whether our law school makes available 'much more information than most law schools' (people don't come in and ask 'hey, give me as much information as they'd give me up at Hastings, do they?) but rather whether or not there will be sufficient information freely given in any case to satisfy or answer the particular question being asked."

Velman also said that students paying full tuition contribute the equivalent of \$300 per student for financial aid. "You are seeing in operation that phenomenon I have in past years heard referred to in the Admissions and Scholarship Committee as 'The school's plan for redistribution of student's wealth.' While this is not necessarily to say the philosophy and practice is bad, it nevertheless may be a philosophy and prac-

tice perhaps not fully appreciated by all students and which surely might be more widely and straightforwardly disseminated to them." Velman said changes in the current procedures of scholarship information disclosure and financial assistance allocations will never occur "if the people - the students - directly affected by the financial aid process and system aren't interested enough to press for changes."



Jane Fonda and daughter await Dean Weckstein's return from Virginia after learning he suggested that they have "paranoid dispositions."



Pictured above are last year's graduation participants, from left to right: Acting Dean Grant Morris, Professor Robert Maudsley, San Diego Bishop Leo T. Maher, California Supreme Court Justice William Manuel, USD President Hughes, and Sister Sally Furay.

Father Quinn (cont.) . . .

Continued from page 1

currently pending before the San Diego Diocesan Board of Conciliation and Arbitration.

Dr. Kamman refused to discuss facts of the case other than to say he felt the three employees were done "a great injustice."

"Rather than thanking us," he remarked, the diocese worked to remove the employees. "The mistake we made was not going directly to the authorities," said Dr. Kamman.

Kamman added that he has received letters of support from the community, including a cartoon that begins with the caption, "What if I discovered corruption at the top and blew the whistle?"

Weckstein countered that "the disgruntled employees were trying to make a cause celebre out of it."

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and
1:00 — 5:00

CALIFORNIA'S POT SMOKERS SEEM TO BE GETTING HIGHER

A California poll reveals the public image of marijuana has changed drastically in the past decade, and now nearly half of all Californians have tried marijuana and favor its legalization.

The Field Poll showed 42 percent have tried marijuana and 17 percent use it regularly. Just four years ago, only 28 percent admitted to having tried it and nine percent said they used it regularly.

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Law Review Controversy Continues

by Maria Meyer and Darla Anderson

First year students again met with Law Review editors in an attempt to resolve the controversy concerning the changes in the San Diego Law Review selection process.

An open meeting to discuss solutions, chaired by Dean Elwood Hain, was held between first year students and Law Review editors on Thursday, April 5. This was followed by a meeting on Thursday, April 10 with representatives from each section of the first year class. As a result of that discussion, the representatives took a straw poll of each section on Monday, April 16.

Same Old Controversy

The controversy focuses upon current policy changes made by the Volume 16 Editorial Board. Traditionally, students compete in multiple writing competitions through their third year. The recent change permits first year students only one opportunity to compete during their law school career.

First year students opposed this policy change, based on the Board's lack of notice concerning the change and the fact that students were working on moot court problems and had anticipated the possibility of writing in the fall. (See *Woolsack*, 4/15).

Students, displeased with the outcome of the spring competition, prompted Hain to co-ordinate the April 5 meeting between first year students and law review editors.

About 40 students from all first year sections attended that meeting. This included students who had made law review and the alternate list as well as those students who were unsuccessful in the spring competition and those who had not yet competed.

Barker Represents L.R.

At that meeting, recently appointed Editor-In-Chief Doug Barker presented the rationale for the law review's policy. Barker emphasized the purpose of law review and its problems with student writers.

He explained students used their eligibility for law review just for resumes and would hurriedly complete requirements in their last year of classes. He said this resulted in a decline in quality student output. Barker also stated there were problems with a high student/editor ratio.

Barker said the Board felt most first year students would write in the spring competition. He explained this assumption was based on the response from the petition. Barker added only 38 first year student turned in problems for the spring competition, and the second year pa-

pers were superior to first year papers in this competition which was contrary to past statistics.

On the basis of these facts, Barker said, the Board assumed most first year students were waiting until the fall competition to write. He explained the Board also assumed many of those students will be strong writers and are waiting for a more convenient time to compete, more experience with law school and perhaps law clerking experience over the summer. He noted that some may also be waiting to see if they will qualify by grades.

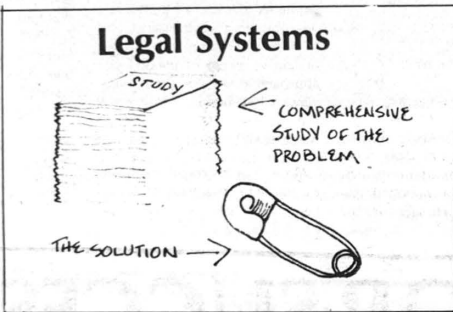
This, Barker explained, was the basis for the selection of only three first year students as writers for law review. He said the Board has an arbitrary line of quality and most of the first year papers did not meet that line.

The Solution

First year students also offered suggestions for resolving the inequity to those spring writers who had relied on the Board's statements. These included the possibility of allowing unsuccessful spring writers to recompete.

Barker said he was concerned with possible unfairness to those students who are waiting until the fall to write, and the alternates who would gain nothing by allowing unsuccessful writers to recompete.

Barker also stressed the policy change from multiple to only one writing competition entry was the final word from the Board. He added the Board would not entertain further discussion on a return to the traditional policy.



First year students responded to this explanation by stating that they had detrimentally relied on the Board's assurances that the majority of openings would be filled by first year students from the spring competition. They were led to believe that there was a high probability of becoming an alternate.

2nd Year Competition

Students felt they had been compared to second year papers which placed them at a disadvantage since second year students had more than one opportunity to write and more experience with law school. Additionally, one student alleged that the second year crim. pro. class had discussed the problem used in the competition. Some students pointed out that this was again contrary to assurances the Board had given at the start of the competition which was that first year papers would be separated from second year papers.

Barker responded to this complaint by saying the papers were judged not against each other, but the Board's level of quality. He said the Board did not feel this was judging first year papers against second year, but that the Board required a high quality of writers and would accept only those writers.

Some first year students observed the problems of which Barker complained were internal problems and could be dealt with without the radical selection policy changes. They felt this change would not accomplish some of the goals Barker had set forth as the rationale for this change.

Hain coordinated an April 10 meeting with first year representatives and law review editors to further define the suggested alternatives.

At this subsequent meeting, Barker re-iterated the Board's position.

The representatives narrowed the suggestions to three possible solutions: maintaining the status quo as established by the policy change; allowing unsuccessful spring writers to recompete in the fall competition; and conducting two fall competitions. This last proposal would give each first year student two opportunities to write, as the unsuccessful spring writers could compete in only one of the fall competitions.

Barker said the Board is autonomous and would not be bound by student or administrative suggestions. He explained the last two proposals would require a change in the Law Review's bylaws. Such a change, he added, is made with a two-

thirds vote of the Editorial Board.

A later meeting was scheduled for Tuesday, April 17 at which representatives would present the results of the poll.

Straw Poll Taken

It was resolved that a straw poll be taken of the first year class by the representatives to give the Board input to help balance the equities. However, Barker emphasized this poll would not be binding on the BOard.

Sections B and C voted overwhelmingly to allow each student two chances by having two fall competitions. Section A voted by a narrow margin to maintain the status quo.

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- Straight "A" grade average
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- Order of the Coif
- President of the Stanford Law Review
- Law Clerk to the Chief Justice of the United States
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USD Visitors Challenge USD Admissions Criteria

by Steve Chaffin

The credibility of the admissions process was one of the topics analyzed at a meeting with the Board of Visitors, Friday, April 6, at USD Law School.

This year's annual visit included judges and prominent businesspersons. The guests met with Dean Weckstein, Dean Morris, Professors Kerig and Peterfreund and viewed a Moot Court demonstration by students.

The reliability of the admissions criteria was discussed in a panel entitled "The Future of Law School Admissions". The panel consisted of Dean of Admissions Michael Navin, Prof. Cory Marco, and SBA President Troy Smith.

The discussion began with Dean Navin. He explained to the Board of Visitors that USD uses the standard LSAT-GPA index factors as the primary method for making admissions decisions. He pointed out that studies have shown these criteria to be the most reliable predictors for success in the first year of law school.

When questioned on this point Dean Navin cited a phenomenon

that the people who score in the bottom of the LSAT rank in the top 20 percent of their first year class 7 percent of the time, and vice versa. While this seems to raise some doubts about the credibility of the LSAT exam, Dean Navin says it's really attributable to the motivation of individuals, a factor that cannot be tested mathematically. In addition, grades are relative to the undergraduate school attended, but because of the difficulty in making mathematical comparisons, they are all treated alike. Dean Navin admitted that the admissions criteria used at USD are not perfect, but they are fairly reliable and due to resource limitations, the best we can expect at USD. Dean Navin referred to studies which have shown that one can't really measure the factors that go into making a good lawyer, so they examine how students perform in the first year of law school.

A question was raised as to why personal interviews were not used at USD. Dean Navin responded that USD discourages interviews because they are inherently subjective and does not have the resources to conduct them. Dean Navin concluded that it would be some time be

fore we can improve on the methods used in evaluating law schools candidates.

Medical School Criteria

The next speaker on the panel was Professor Cory Marco, a doctor who teaches Medical Law at USD. Prof. Marco pointed out that Medical Schools have the same problems with evaluation of applicants. He said that most Medical Schools use three factors in evaluating applicants, the standardized MCAT exam, the GPA, and a personal interview. He said that but for the personal interview he might not have been admitted into Medical School. Prof. Marco also noted the substantial increase in minorities and women attending Medical Schools over the past years. He said that the Bakke Case did not radically change admittance policies at most Medical Schools.

Troy Smith

The final speaker was SBA President Troy Smith. Smith focused on the Diversity Admissions criteria used at USD to expand the number of minorities, women, and disadvantaged students accepted. He said that the

Bakke Case has put many law school admissions programs into a state of flux. Many have undergone changes that have upset the progress made with the Affirmative Action programs of the late 60s and early 70s. Smith objected to Justice Powell's decision in Bakke as applying an improper standard of review and failing to find "compelling" reasons for the Davis special admissions plan. He cited the facts that the median income of blacks in the U.S. today is four times less than whites, also that unemployment is twice as great among black workers and three times as high among black youth.

Smith stated that the USD Diversity Program was a positive step towards improving the quality of life for blacks and other segments of society traditionally unrepresented in the legal profession. He noted the "whole person" concept of the diversity approach makes personal interviews a key factor. Smith is still not satisfied with the effort made at USD.

More intense recruiting needs to be done, this year there has been a 14 percent decrease in

the number of applicants under the diversity criteria. Smith also expressed an interest in expanding the tutorial program and hiring faculty members who are sensitive to the needs of minorities and the disadvantaged.

Tutorial Program

Prof. Paul Wohlmuth also spoke briefly to the Board of Visitors about the tutorial program at USD. He said that maintaining the tutorial program was critical so that admitting minorities and disadvantaged people would not become a "revolving door." He explained that the USD tutorial program takes a personal approach with a low student-tutor ratio. The tutorials are open to all students in the second semester who had grades averaging below 72. Wohlmuth expressed the desire to make the tutorial program more of a prestigious activity like Law Review and Moot Court.

To finish the visit the 35 guests met with student groups, held a business meeting and attended a wine and cheese party.

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Sports

Forum

by Mark Speck

Eventually, all things good, bad or mediocre come to a conclusion and so it is with my sojourn as a law student. During the past four years, the law school intramural program has changed dramatically, developing from a haphazard operation into one of the most extensive and well-organized sports havens in any educational institution. This maturation has indeed created a mecca of sorts for any frustrated athlete, so in honor of that growth, as well as my retirement as sport's editor, I thought it might be appropriate to recall some outstanding moments and achievements that have occurred in I.M. sports over the last several years. Those persons named herein deserve special recognition for excelling in our own personal "big leagues".

Most Outstanding Service:

There were a few individuals who did more than just participate and actually spent numerous hours assuring the success and improvement of intramurals. The most selfless contributor was Prof Lou Kerig who donated many of his Fridays and Sundays to officiate baseball and football games. Additionally, Lou's weekly column in the fall brought interest in the football season to an all-time high. His continual involvement has proven a great benefit to the 1978-79 intramural season. Also deserving mention is I.M. law school director D.B. Rogalski, who has organized virtually every league and tournament over the past three years. By expanding the programs, moving various events to more suitable times and locations, and providing better officiating he has vastly improved the quality of intramurals and student participation has risen concomitantly. With his departure, some strong leadership will be needed to maintain the present lofty status of law school sports.

Most Memorable Team:

This one was an easy choice. No team could equal the high-spirited, fun-loving softball squad of Reuben and the Jets which was an entry in the spring semester of 1977. Captained by Reuben Vasquez and introducing such future stars as Paul Leehy, Wayne Gishi, and Paul Weinberg, the Jets embarked on an incredible season. After dropping their first three outings by scores of 29-1, 22-3, and 19-1, the Jets came within one out of defeating the unbeaten Eunuuchs before losing 10-9, and there were some questionable calls by the home plate umpire which enabled the Eunuuchs to avoid the biggest upset in I.M. history.

Greatest Individual Effort:

A dated performance and a recent effort are the finest in memory. In the fall of 1975, super speedster Ron Carlson scored five touchdowns against a first year team which never recovered from this one man blitz and disbanded shortly thereafter. Carlson's team, Schuylkill Express, which also included Terry Kasbeer, Jim Rankle, Mike Zybala and John McNamara went on to win the football championship in 1976. The other super performance occurred in this spring's baseball playoffs. In the semi-final and final games, Jack Cohen lead Pacers to their second league championship by blasting five home runs and driving in 16 total runs in the two games.

Most Impressive Event:

This one belongs to the original Softballers who played during the 1976 and 1977 seasons. That team which had guys like John Hawkefelder, Ric Fahrney, Mike Angelo, Dick Staiton and Terry Kasbeer, pulled two triple plays in consecutive innings against the Merry Pranksters in the fall semester of 1976. The Pranksters, most of whom departed in 1978, featured greats like Drew Macrae, Steve Bishop, Denny Lyden, Scott Abel and Jim Mitchell. Those bits of defensive magic rendered the only triple plays I have ever seen in I.M. softball. A close second in this category goes to Bob Rosemeyer's monumental home run in the fall of 1977. The ball Rosey hit was still rising and probably would have landed in Old Town Pottery had it not shattered a rightfield light in Presidio Park.

Best Sports:

I was tempted to give this award to myself, since my mild manner on the playing field is legendary. However, several other individuals such as Ben Haddad, Paul Leehy and Charlie Hogquist seemed more deserving. All of these men participated enthusiastically in intramural sports without excessive concern for their respective positions in the weekly standings and their attitudes exemplify the spirit of I.M. sports.

Closest to Pro Team Award:

The best and most dominating team in any sport was the Crimson Pirates basketball squad of 1978. The Pirates, which included Dave Rogalski, Eddie Davis, Jim Huffman, Mike Spilger and Dave Miller compiled a record of 10-0 and weren't challenged for the entire season.

Most Intense Rivalry:

Although the names of the players changed each year, the

football struggle between PDP and Clean Hands always produces great football games. The rivalry will be entering its fourth year in the fall of 1979 and thus far PDP holds a 2-1 advantage over Gene Yale's aging veterans.

Best Referees:

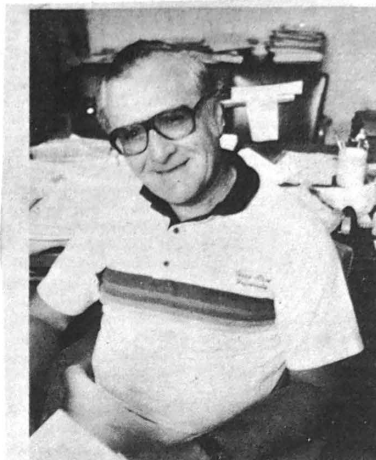
One of the most important improvements over the last three years is the quality of I.M. officials, which were either non-existent or incompetent when I arrived here in 1975. Pete Thomson, Doug Morelli, and Bob Rosemeyer are three of the standouts who weathered interminable abuse and veiled threats of violence and still maintained a reasonably civilized standard of play. They also became extraordinarily adept at losing their hearing for hours at a time.

Best All Around Athletes:

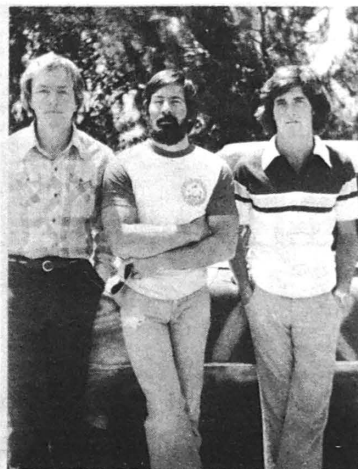
The future of law school sports rests with the upcoming 1st year class and that group has a number of blue chippers to continue the tradition of excellence. Dave Rosenberg, Greg McClain, Sam Reed, Leroy Smith and Drew Griffin were a few of the rookies who took part in all the major sports this year and made significant contributions to their team's success. The best of the second year class will have to assume the leading role next year and of these Ardie Boyer, Dan Borta, Pete Gyben, John Schroeder and Del Oros have been the most visible. The graduating class has the most abundant supply of talented athletes and hopefully people like Bob Rosemeyer, Dave Rogalski (who became the first man to win championships in all three major sports in one year), Skip Palazzo, Jeff Pratt, Jack Cohen, Jay Sacks, Keith Schirmer, Steve Wingfield, and Don Hall among others, will return next year for more exploits. There are also some memorable players who have departed USD Law School, several of whom still exhibit their talents in the intramural leagues. Of the old-timers, Dan Abbot, Terry Kasbeer, Ron Carlson and Glen Triemstra excelled in all sports. Of the more recent graduates, Ric Fahrney, Carlos Molina, Dick Staiton, Hector Apodaca, Steve Nelson and Wes Pratt are still making their presence felt in various sports.

Of course, there are many others over the years who contributed just by participating and competing, or more importantly, by actually organizing teams. All of these people, individually and collectively, were very instrumental in building a tremendous law school intramural program. Intramural sports have the ability to satisfy almost everyone from the casual participant to those men

Woolsack Sportsman Of The Year



Lou Kerig



I.M.'s Law Athletes of the Year are (from left): Don Hall (3rd year) —participated in all major sports, organized team in football, runnerup in three sports; Mark Speck (4th year) —participated in all major sports, all sports day winner, organized teams in football and basketball, championships in football and baseball, officiated baseball and basketball; and Tim Barry (3rd year) —participated in all major sports, organized team in basketball. Not pictured: John Schroeder (2nd year) —participated in all major sports, organized teams in basketball, championship in football, officiated basketball; and Bob Rosemeyer (3rd year) —participated in all major sports, all sports day winner, championship in baseball and football, officiated basketball and baseball.

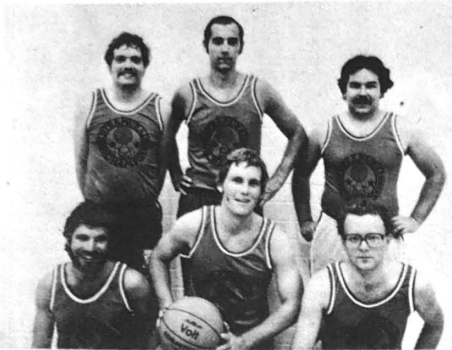
who envision them as another professional league, and for that reason they have become an integral part of USD's Law School. Hopefully, therefore, intramurals will continue to grow and prosper, thereby providing an endless playground for all those aging jocks who nearly made it to the top. The people who play in intramural sports don't even require huge salaries as an incentive to perform enthusiastically. It's all been great fun for me and I hope the quality of I.M. competition will be maintained in the coming years. See you next fall on the football field.

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Pacers Repeat In Baseball; Crimson Pirates, Tapscotts Basketball Champs



Pictured above are the "B" League basketball champs, Tapscotts and Two. Tapscotts won the title over Fubar 59-57 with a last second shot by Del Oros. They also won a thriller in the semi-finals against Rear Entry Knights when Ross Peabody hit a jumper at the buzzer for a 63-62 victory. Front row: Ken Roberts, Ross Peabody and Greg Walden. Back Row: Mike Williams, Del Oros and Lou Hanoian.



The Pacers became the first I.M. baseball entry to win consecutive championships and they achieved that milestone by an astounding late inning surge which overcame an 11 run deficit. Pacers trailed the Runs 19-8 entering the bottom of the sixth inning, but the champs exploded for 12 runs in their next three at bat, while shutting out the Runs for the remainder of the game to win 20-19. It was indeed among the most exciting comebacks to date, as well as a super team effort by the Pacers. Pictured, Front Row: Dave Rogalski, Lou Kerig, Jack Cohen (the hero with eight home runs and 24 RBI's during the playoffs), Jackson Muecke, Vic Sahn and Jim Huffman. Back Row: Lars Nelson, Leroy Smith, Dick Staiton, Craig Ramseyer, Hector Apodaca, Dave Rosenberg and Mark Speck.




The remainder of the I.M. departments law athletes of the year. Left to right: Space Mangione - participated in all major sports, representing second year evening; Leroy Smith - participated in all major sports, won championships in baseball and football, representing first year evening; Hector Apodaca - participated in all major sports, won championships in baseball and football, representing alumni; Dave Rosenberg - participated in all major sports, won championship in baseball, organized football and basketball teams, representing first year day.



The Runs finished in second place, but not by much as they bowed to powerful Pacers 20-19, in one of best baseball battles ever. Pictured above, Back Row: Andy Adler, Tim Barry, Greg McClain, Don Hall, Ric Day and Bill Kelley. Front Row: Skip Palazzo, Howard Susman, Bob Rosen, Jay Sacks and Ernie Gross.



The Crimson Pirates captured their second consecutive basketball championship, walloping the Doom Farers 112-90 in the "A" League title contest. Six of the Pirates' seven players finished in double figures and the seventh, Dave Miller, added 10 stitches to the win. Front Row: Matt Herron, Dave (Scarface) Miller, and Jim Huffman. Back Row: Mike Spilger (who won his fifth straight basketball title), Tom Gries, Jack Cohen and Dave Rogalski.



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BAR/BRI SUMMER 1979 COURSE DATA

COURSE SCHEDULE

STARTING DATES

| | | |
|------------|---|--------|
| LIVE | LOS ANGELES, SAN FRANCISCO, SAN DIEGO | May 29 |
| LIVE/VIDEO | Fullerton, Sacramento | May 30 |
| VIDEO | Berkeley, Davis, Fresno, Fullerton (morning), Glendale, Monterey, Sacramento (evening), San Diego (morning), San Fernando Valley, San Francisco (morning), Santa Clara, Santa Rosa, Ventura | May 31 |
| VIDEO | Stanford | June 7 |

All the above courses will meet weekdays and Saturdays through the week of July 15.

COURSE LOCATIONS: LIVE/VIDEO

| | | |
|---------------|-------------------|--|
| LOS ANGELES | (LIVE) (VIDEO) | evening - West Los Angeles (TBA)* morning - West Los Angeles (TBA)* |
| SAN FRANCISCO | (LIVE) (VIDEO) | evening - Japan Center Theatre, 1881 Post St. morning - Japan Center Theatre, 1881 Post St. |
| SAN DIEGO | (LIVE) (VIDEO) | evening - USD, More Hall morning - USD, More Hall |
| FULLERTON | (LIVE) (VIDEO) | evening - Cal State Fullerton, University Center morning - Cal State Fullerton, University Center |
| SACRAMENTO | (LIVE) (VIDEO) | morning - McGeorge School of Law evening - McGeorge School of Law |

TAPE LOCATIONS

- Berkeley (morning) - Boalt Hall
- Glendale (evening) - Glendale High School, 1440 E. Broadway
- Santa Rosa (evening) - Empire School of Law
- Stanford (morning) Stanford School of Law
- Davis (morning) U.C Davis
- Monterey (evening) - 440 Van Buren
- Santa Clara (morning and evening) - Univ. of Santa Clara
- Fresno (TBA)*
- San Fernando Valley (evening) Crespi High School - Encino,
- Ventura (morning and evening) - Ventura College of Law

Morning lectures held 9:30 a.m. - 1:00 p.m., evening lectures held 6:30 p.m. - 10:00 p.m., Saturdays - days

*To be announced