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New York Law School

# EQUITAS

THE AWARD WINNING STUDENT NEWSPAPER OF NEW YORK LAW SCHOOL

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FRIDAY, OCTOBER 22, 1971

## Injustice In The Administration of Criminal Cases

by AARON J. BRODER

Those who seriously seek to create a just system have inevitably suffered with the disparity in the legal representation available to persons of wealth in contrast to those who live in poverty. Under our adversary system, implicit in equality before the law is equality in the representation accorded to those accused of crime. It can hardly be said that a court of law is a buffer between the power of government and the individual, unless the individual has available to him legal counsel and representation that measures up to the needs of the case.

Notwithstanding the fact that the criminal case calendars in the average metropolitan area fairly burst with cases of grave weight, it is a fact that the vast majority of skilled and prominent trial lawyers have limited their practices to civil lawsuits. It is my view that the reason for this, by and large, is purely economic. It has often been said that the law is not a money-getting profession and that any attorney worth the name will never be motivated by personal gain.

But the economic facts of existence, professional or personal, may not be ignored. Typically, a skilled trial lawyer maintains a large office necessitating both a professional and non-professional staff. Rent, office equipment, salaries and the multitude of other costs are in no way diminished or discounted by reason of the fact that they are incurred as an incident to the practice of law. It therefore becomes a virtual impossibility for the prominent trial attorney to depart from fixed patterns, for if he does, the entire structure could well crumble about him.

### COMMUNITY PARTICIPATION PREREQUISITE

I therefore postulate that the true, proper and correct administration of criminal justice requires that the community provide an investigative staff corresponding to that of the District Attorney's office (i.e. a Public Defender's office) and that investigations on behalf of those accused of serious crimes should at least be as thorough as those conducted by the prosecution. Thereupon, this government agency working on behalf of the accused should seek trial counsel upon a fee arrangement which corresponds to the fees earned by trial counsel in other kinds of litigation. It is apparent that the more serious the crime, the more

careful must be the selection of trial counsel.

The availability of expert trial counsel in serious criminal cases should not be dependent upon an occasional departure by such counsel from his usual practice in the civil courts, because one particular case happens to have great public interest. This slap dash hit or miss method of securing counsel leaves the poor vulnerable to a point which mocks the very nature of our concept of justice.

Another alternative is to provide the necessary funds to trial counsel both for his fee and for the full expense of processing and investigating a given case. As a civil trial lawyer, I can assure you that the proper processing and preparation of a case before I enter the courtroom represents a crucial aspect of the trial itself.

If governments are too poor to set up Public Defenders' offices which function with the same resources as the public prosecutor's office, then let the poor and indigent receive proper representation in the manner which I have just detailed. Certainly if attorneys could set up a portion of their offices and allocate staff, etc. toward the proper preparation and investigation of criminal cases, then they could function as trial counsel both in criminal and civil suits.

It is important to understand that at the present time poor people charged with crimes cannot obtain equal justice because they cannot obtain equal representation which corresponds to the gravity of their case. If we still wish to adhere to our notion of the presumption of innocence, then we must abandon our attitude that "criminals" do not deserve public support. Furthermore, the vulnerability of the citizenship to prosecution has gained tremendous impetus by reason of the complex structure of laws, rules and regulations. This, coupled with officialdom's questionable motivations, underscores the need for immediate action along the lines I have indicated above.

To sum up, I make the following recommendations:

1. That the government provide full investigation and processing facilities and make same available to trial counsel for defendants, or
2. that the government provide funds to trial counsel to conduct investigations at least equal to those conducted by the prosecutor and all of the agencies to which the prosecutor has access, and

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HON. JOSEPH A. MAZUR

## Judge Mazur Hails JAB Program

by HON. JOSEPH A. MAZUR

With the recent events at Attica and the limelight being turned upon the Criminal Court and the enforcement system, this is an opportune time for law students to become interested in the criminal process. The program suggested by the Judicial Assistance Bureau (J.A.B.) is one which can be beneficial to the students, the school, the criminal court system and the community.

The judges in the Criminal Courts have little assistance in the nature of general help, planning, program and follow through. The law student can be of great service to a judge by helping him with research, in discussions of the cases and the law, the investigation of avenues available for the rehabilitation of convicted defendants, and also being generally involved in the daily work of the court. This work provides the students an opportunity to be on the inside of the Criminal Court machinery.

CONTINUED ON PAGE EIGHT

## Judge Joseph DiFede Nominated To New York Supreme Court

Judge Joseph DiFede of the New York Law School faculty has received the nomination as the Liberal and Democratic party candidate for Supreme Court Judge of the State of New York in the first Judicial District. The first Judicial District comprises the Bronx and Manhattan.

Judge DiFede is presently sitting on the New York Civil Court in Bronx County. He has been a member of the faculty of New York Law School for 17 years serving first as a Professor of Law and at present as Adjunct Professor of Law.

The Judge received his undergraduate degree at the University of Rochester where he was Phi Beta Kappa. Following his undergraduate work he attended St. John's Law School where he was awarded the J.S.D. and the L.L.B. Degrees. Subsequent to

## NYLS Team Faces Rutgers, Brooklyn In Moot Court Orals

by VINCENT J. D'ELIA

NYLS's Moot Court team will compete in oral argument against Rutgers Law School and Brooklyn Law School Wednesday, November 10, in the 22nd Annual Moot Court regional competition at the New York Bar Association offices on 44th Street in Manhattan. The first argument is at 1:00 p.m., and the second at 4:00 p.m. Scoring is based on the appellate brief submitted prior to November 1; and the oral arguments.

Sharon Spring and Michael Rehill, 3rd year day students, will represent NYLS in the oral competition. The team, consisting also of alternate Thaddeus Podbielski, has spent the past two months preparing their brief on the case, which is similar to the Lieutenant William Calley case.

### NEW YORK LAW SCHOOL DEFEATED NYU IN ORALS

Last year NYLS defeated both New York University and Saint John's University in oral argument but lost in total score on the written portions of the contest.

If NYLS is victorious on November 10th, Spring and Rehill will enter the semi-final rounds with three other teams the following day. The nine competing teams in this region are: NYLS, N.Y.U., Seton Hall, Rutgers (Newark), Rutgers (Camden), Brooklyn, St. John's, Fordham and

Columbia.

Spring, Rehill and Podbielski won their place on the moot court team via open, intra-school competition held last semester. Spring is a graduate of Barnard College, former aide to Congressman Jonathan Bingham and a two-term Democratic District leader. She ranks sixth in her class, is the mother of three children ages 7, 9 and 10 and is employed by the firm of Poletti Freidin Prashker Feldman and Gartner.

Rehill is a graduate of Wesleyan University with a double major in history and government. He ranks first in his class and is the recipient of the Phi Delta Phi Scholarship Award for two consecutive years. Rehill is married, a life-long resident of New Jersey and is the Vice-President of Westwood Publishing Co., the publishers of EQUITAS.

A graduate of Saint Peter's College, Podbielski, is active in Phi Delta Phi legal fraternity and is a 2LT in the United States Army Reserve on delay status. Interestingly, he is considering accepting an appointment to Judge Advocate General Corp upon graduation. The experience of this moot argument might directly affect his military aspirations.

### MOOT COURT ACTIVITIES

The following officers of Moot Court Board were recently elected: Charles Lavine, Chairman; Vincent D'Elia, Administrative Director; Dennis Lazar, Senior Editor; William Coleman, Research Director and Joseph Maltese, Assistant Senior Editor.

At a recent organizational meeting Mr. Lavine announced that the Board's primary goal is to prepare and publish a MOOT COURT MANUAL, a handbook consisting of an outline of the organization and providing the novice with the techniques of appellate advocacy. The handbook should be completed by December and distributed to all students interested in working on the Moot Court Board. Participation is open to all students who have completed one semester of law school.

In the Spring semester a series of oral and written competitions will introduce board members to appellate argument and result in the selection of a moot court team to represent NYLS in the fall of 1972 in the regional competition. For these arguments the students will form teams of two and compete against members of their class.

CONTINUED ON PAGE THREE

# New York Law School Alumni Association News

## Obituary Notices

### Samuel Roessler

Samuel Roessler, 86, a former president of the Newark Board of Education, died last month at his home, 243 N. Arlington Ave., East Orange, N. J.

Born in New York City, Mr. Roessler lived 64 years in Newark before moving to East Orange in 1954. He graduated from New York Law School in 1905 and practiced 65 years in Newark.

A member of the Newark School board from 1933-1942, Mr. Roessler served as president from 1938-1942. He was past treasurer of the Essex County Republican Party and a former trustee of the East Orange Library.

In 1930, he was appointed master in chancery to hear divorce cases. Mr. Roessler was a New Jersey Supreme Court commissioner, doing similar work from 1940-1945.

Mr. Roessler was a special counselor with the Newark Housing Authority, director and attorney for Berkely Savings and Loan Association, Newark, over 25 years and was counselor and trustee of the Charles Bierman Home for Aged People in Montclair.

He was also grand exalted ruler of the Newark Elks Lodge 21 and a member of Temple B'nai Abraham, Newark.

Mr. Roessler is survived by his wife, Jennie; three daughters, Mrs. Ethel Bierman of West Orange, Mrs. Doris Novich of Irvington and Mrs. Bernice Salzman of Montreal; a sister, Mrs. Mollie Berlin of Syracuse, and eight grandchildren.

### Courtland Kelsey

Courtland Kelsey, who retired from the New York law firm of Simpson, Thacher & Bartlett in 1952, died last month in the

Hospital Center at Orange, N.J. He was 83 years old and lived 157 South Harrison Street.

Mr. Kelsey, who was graduated from Yale in 1909 and from New York Law School, was a former president of the Federation of the Oranges.

Surviving are two sons, Courtland Jr. and H. Burr Kelsey; a daughter, Mrs. Elizabeth K. Cameron; seven grandchildren, and two great-grandchildren.

## The Secret Of New York Law School

by GEORGE FARKAS

My curiosity has been aroused now for two years. Why, I asked myself, is there a faculty lounge when no member of the faculty ever lounges therein? Why is it always unlit? Does it hold some monstrous secret? The answer to this last question is, YES!

For those of you who are new to the law school, or even for you "veterans" who never noticed it, the faculty lounge is located atop the Registrars' Office. In other words, when you go over to Dr. Weary to ask him why you weren't registered in a certain course, or when he calls you down to ask you why you majored in Health Ed. in college, as you stand there awed by his presence, look up and you'll see the faculty lounge. This also helps to avoid his smiling, yet knowing stare.

When I began to investigate this mystery, I theorized that a faculty lounge was a prerequisite for accreditation. I based this on the old latin proverb: "A lounging faculty is a happy faculty; a happy faculty creates happy lawyers; happy lawyers have happy clients, and thus UTOPIA!! This theory went down the drain when I contacted the ABA and after two weeks received this letter:

"It is the finding of this Com-

## FRESHMEN ELECT SBA REPS

Ten first year students were recently elected Student Bar Association representatives by their respective sections.

James Koplik, Douglas Woodward, Michael Lipson, Alan Blumenthal and Lawrence Silver were selected by the day school.

The following were elected by the evening first year class:

Benjamin De Costa, Richard LaMotta, Jeryl Starr, Elynn Banks and Renee Sacks. Each candidate was required to submit a petition with 15 signatures of members of his or her section.

Although few first year students know each other by merely the third week of classes, The Student Bar Association decided last year to allow first year students representation on the executive council in the fall instead of waiting until spring for the right to petition the SBA - or vote on resolutions which affect the entire student body. The second, third and fourth year students elected representatives last spring.

Last Saturday the newly elected members met with the entire executive council at the first organizational meeting of the school year. Marshall Lippman, President of the SBA, urged each representative to remember their responsibility to the students in their sections and to the school. He stressed that each representative should both assume the position as a liaison between the council and his respective section, and assert himself as a leader to help better direct student efforts.

"I would rather sit on a pumpkin and call it my own than to be crowded upon a velvet cushion."

Thoreau

## Alumni

In order to receive an application for your "JURIS DOCTORATE DEGREE," and/or membership in the Alumni Association, please fill out this form.

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NEW YORK LAW SCHOOL  
57 Worth Street  
New York, New York 10013

I would like an application for a Juris Doctorate Degree. [ ]

I would like an application for membership in the Alumni Association. [ ]

Year Graduated .....

Name .....

Address .....

CITY STATE ZIP CODE

## NEW YORK LAW SCHOOL ALUMNI ASSOCIATION

The following list of Officers and Directors of the New York Law School Alumni Association is printed here for the convenience of any and all alumni or students desiring to contact any Officer or Director.

### OFFICERS:

PRESIDENT	Hon. Joseph F. Periconi '41	100 Stevens Ave. Mt. Vernon, NY 10550	(914) MO.8-5020
1st VICE PRES.	Hon. Jack Stanislaw '29	Moriches Road St. James, NY 11780	(516) JU.4-6225
2nd VICE PRES.	Hon. Martin L. Baron '52	White & Case, Esqs. 14 Wall St., NYC 10005	732-1040
SECRETARY	Benjamin Botner '29	1199 Park Avenue N.Y.C. 10028	582-6250
TREASURER	David A. Ferdinand '38	9 East 46th Street N.Y.C. 10017	682-4067

### DIRECTORS

Steven J. Baron '68	420 Lexington Ave. Rm. 2760, N.Y.C. 10017	532-9678
Charles Bennet '24	515 Madison Ave., N.Y.C. 10022	753-5310
Michael C. Bernstein '28	120 East 41st St., N.Y.C. 10017	683-2800
Alfred E. Braun '70	11 West 42nd St., N.Y.C. 10036	736-0728
Mary E. Carbone '59	312 West 23rd St., N.Y.C. 10011	971-5466
John J. Corbley '62	116 John St., N.Y.C. 10038	962-3300
Howard J. Churchill '32	330 Madison Ave., N.Y.C. 10017	697-4520
Bernard M. Eiber '51	123-60 83rd Ave., Kew Gardens, N.Y. 11415	268-3200
Basil Filardi, Jr. '29	40 Church St., White Plains, N.Y. 10601	(914) - 948-1522
Patrick J. Foley '61	102 Maiden Lane, N.Y.C. 10005	344-9200
Milton B. Franklin '28	45 Monroe Place, Bklyn, N.Y. 11201	TR.5-1300
Sylvia D. Garland '60	131 Country Village Lane, New Hyde Park, N.Y. 11040	(Off.) 425-7575
Irvin Husin '27	27 William St., N.Y.C. 10005	943-2690
Alfred D. Jahr '26	258 Broadway, N.Y.C. 10007	267-2624
Sylvia E. Kelman '65	N.Y. Law School, 57 Worth St., N.Y.C. 10013	966-3500
Lawrence H. King '25	99 Winnebago Rd., Yonkers, N.Y. 10710	(914) SP. 9-6738
Murray T. Koven '38	350 Fifth Ave., N.Y.C. 10001	736-7432
Arthur F. Lamanda '29	217 Broadway, N.Y.C. 10007	233-2880
Robert A. Mallow '68	605 Third Ave., Rm. 1501, N.Y.C. 10016	972-1100
Gerald A. Marks '69	45 Monroe Place, Bklyn, N.Y. 11201	TR. 5-1300 Ext. 45
Ernest F. Marmorek '57	420 Lexington Ave., N.Y.C. 10017	532-9678
John W. McGrath, III '59	30 East 42nd St., N.Y.C. 10017	687-5010
Ellis J. Meyerson '26	1457 Broadway, N.Y.C. 10036	564-0960
Zuhayr Moghrabi '67	54 Riverside Dr., N.Y.C. 10024	787-3966
Harry Ostrov '25	1456 Broadway, N.Y.C. 10018	736-2474
Georgina F. Reich '56	521 Fifth Ave., N.Y.C. 10017	682-8211
Sherwood Salvan '69	526 East 83rd St., N.Y.C. 10028	(home) 861-6449
Irving Schächter '40	Bank of Smithtown, Main Street, Smithtown, N.Y. 11787	(516) AN. 5-3000
Frederick W. Scholem '27	10 East 40th St., N.Y.C. 10016	532-4626
Hon. Nicholas Tsoucalas '51	25-10 Court Sq., L.I.C., N.Y. 11101	544-9300

## Profile -

### Prof. Stason

E. Blythe Stason, Jr., A Harvard scholar and international anti-trust expert, joined the NYLS faculty this September. He received his undergraduate, masters and LL.B. degrees from the University of Michigan, and was awarded an LL.M. from Harvard University School of Law.

Before coming to NYLS to teach Property and Anti-Trusts he taught for eight years at The Marshall-Wythe School of Law, William and Mary College in Williamsburg, Virginia, and at Indiana University prior to that.

While summer is often the welcomed pause in a professor's busy schedule, our newest

faculty member sees it as a means of combining his dedication to his profession with his love for the English countryside. For the past three summers Prof. Stason taught in Exeter, England as part of William and Mary's summer law program.

Prof. Stason approaches his teaching assignments as a chance to meet with "colleagues" - the title he stresses is most appropriate in referring to all students and faculty. He welcomes comments on his classes from his "colleagues" and hopes his membership on two faculty committees: curri-

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## PLACEMENT SERVICE

Please contact me for job opportunities for students at New York Law School.

Full time - \_\_\_\_\_

Part time - \_\_\_\_\_

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_

Send to: Placement Service  
New York Law School  
57 Worth Street  
New York, N. Y. 10013  
Telephone: (212) 966-3500 ext. 41

# Field Manual Distributed

by RICHARD C. ENTIN

The New York Law School chapter of the National Lawyer's Guild painted a not so rosy picture of New York Law School to the incoming Freshman Class. Their medium was the pen, and what they had to say, although not entirely complimentary was far from false.

At Freshman Orientation along with the sanctioned paraphernalia that was distributed, a non-sanctioned, and, in the eyes of the administration, illegal, publication entitled NEW YORK SCHOOL STUDENT MANUAL, reached the hands of most of the members of the incoming Freshman Class.

This Manual attempted to describe the Law School from the NLG student's frame of reference; and not a view the administration would condone. On several of the points presented in the illegal publication Dean Walter Rafalko has taken issue.

## DEAN REPUDIATES MANUAL

In describing the structure of New York Law School the manual asserted that Judge Froessel alone dictated all rules and regulations. However to this, Dean Rafalko claims there is no truth. The Judge is merely the Chairman of the Board of Trustees and can't act unilaterally. Rather, he must act in concert with the board, and all administrative decisions are arrived at collectively.

Discussing further the administrative organization of New York Law School, the Field Manual referred to the dean as a "helpless buffer between student voice and authority". In response to this allegation, Dean Rafalko claimed that he doesn't formulate policy, but rather can only give leadership and direction by administering those rules and regulations which the Board of Trustees hand down.

## SCHOOL CATALOGUE

The Field Manual then took issue with the Law School's Catalogue claiming it to be incomplete, out of date, misleading and dull. The Dean admits to this problem and asserted that a Revision Committee was formed last year, and hopefully a new Catalogue will be in print this spring. However, the format will remain relatively the same.

The next issue taken up by the manual was the proverbial "thorn" in the side of New York Law School... accreditation. The publication acknowledged that we are sanctioned by the American Bar Association (ABA), but also informed those who were unaware, that we aren't recognized by the American Association of Law Schools (AALS). Here too, Dean

Rafalko took issue and attempted to set the record straight. "We are accredited by the ABA", he claimed. However, not only did he admit that we weren't recognized by the AALS, but he further stated that we have never applied to them for accreditation. "But", he concluded, "The school is now in a position to start seriously considering application to the AALS, because we will be meeting all their standards in about two years"

## PLACEMENT ATTACKED

The next topic that the manual discussed was the Faculty of New York Law School. The publication condemned certain professors, while praising others.

Another subject attacked by the manual was that pertaining to a Placement Office at our Law School, or more specifically, the non-existence of such an office.

Here too, the Dean took issue by claiming that over 50% of last years graduating students have already been placed (directly through the services of the Law School?) either in law firms, or military service.

## Spring, Rehill To Argue For NYLS

CONTINUED FROM PAGE ONE

Each team will prepare an appellate brief on one side of the issue and defend that stand. Later the team will argue against its brief with finalists selected from totalling the two scores. Last semester each team merely argued the side it was assigned. It is hoped that this format modeled after the regional will give the participants more experience and place the judges in a better position to select finalists.

The enlarged moot court program will award certificates to officers and winners of the competitions, sponsor lectures and informal meetings with judges and help to create a multifaceted organization on the level of the heavily endowed law schools.

"When a lawyer says yes he means perhaps; when he says perhaps he means no; when he says no he is no lawyer."

Anon

"Liberty is the only thing you cannot have unless you are willing to give it to others."

John Stuart Mill

"You can always get the truth from an American politician after he has turned 70, or given up all hope of the Presidency."

Anon

# Multistate Bar Examination Proposed

A special committee, appointed by the National Conference of Bar Examiners three years ago, announced that the number of applications for admission to the bar is greatly increasing each year throughout the country. This finding led the committee to explore the feasibility of an objective multiple-choice test.

The committee contracted with the Educational Testing Service of Princeton, New Jersey to assist with the preparation of the test. The result, the Multistate Bar Examination consists of two hundred multiple-choice questions based on contracts, criminal law, evidence, real property, and torts. The test

will be given for the first time in 1972.

Every state board has the opportunity to administer the Multistate Bar Examination in February and July of 1972. As of September, twenty-three states have announced their intention to use the test in 1972. Each board will probably administer a separate test based on local law. New York does not plan to offer the exam in 1972. New Jersey and Pennsylvania are among those states that plan to give the test.

Several bar examiners have expressed doubt as to the validity of an objective test. Most bar exams consist solely of essay questions. The committee offered as positive evidence the exams of the Florida bar, which have included multiple-choice questions since 1965. They believe that multiple-choice testing techniques have been so improved in the past fifteen years that more sophisticated thought processes can now be measured.

The uniform examination will not admit one to the bars of all participating states, and the possibility of reciprocity was not considered by the committee. However, if the test is successful, the next logical step might be to shorten the process of admission from one state to another.

# Nader Proposes Law School Reform

In all the discussion recently at law schools about grading and curricular reform and student participation in faculty and administration decisions, it appears that one highly significant proposal could be adopted forthwith. I refer to the establishment of a year-long course given by students for the benefit of the faculty.

The case for such a course is compelling and the mechanics of conducting it fairly simple. Students have a great deal to convey to the faculty - their legal experience in clinical work, a greater sense of the urgencies of the times that are straining the legal system, their frequently greater familiarity with new techniques or bodies of knowledge of relevance to developing legal systems and their considered critiques of formal course work that makes up the law school's teaching pattern. There is substantial evidence that many professors are developing a keen appreciation that law students have much to teach as well as to learn. This recognition is bound to increase as law students, organized in investigating teams, begin producing first-rate empirical studies of legal institutions. But even for those members of the faculty who resist the obvious, a student course for the faculty can be justified as a steady feedback process that is bound to

enrich the professor's response to his classes.

Once the principle of a student course is accepted, the mechanics could be worked out to maximize participation and efficiency. Law schools have always been good at mechanics. By way of suggestion, a steering committee of students, chosen by their peers, could organize the course content, decide whether to inflict an "eye for an eye" and adopt the Socratic method or develop another less time-consuming procedure, determine the kinds of demonstrative evidence to be utilized, the field trips to be taken and the spinoff benefits to be conveyed to other law schools and in journals of legal education. I am sure that many exciting innovations and bene-

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## EQUITAS POLL

The following student poll deals with international affairs, national policies, issues of New York State, and topics of interest concerning N.Y.L.S. It is urged that each student take the time to answer each question and return the poll to the collection box in the lobby.

This is your school and your newspaper. Your voice must be heard. Here is the opportunity. The continuation of student polling will depend largely on the success of the response.

EQUITAS will tabulate and publish the results in the next edition. Thank you.

David J. Meiselman  
Ass. Ed.

Yes No

- I am in favor of mainland China being admitted to the U.N.
- I am in favor of Taiwan remaining in the U.N.
- I agree with the approach taken by the present administration for improving our economy.
- I am satisfied with the efforts of President Nixon to end the war in Indochina.
- The U.S. should supply weapons and military men to any nation in the world seeking a democratic form of government.
- The U.S. should supply financial aid to any nation in the world seeking a democratic form of government.
- I am in favor of busing to achieve racial balance in the school system.
- I feel the U.S. needs a change in leadership for 1972.
- I would vote for the following Democrat(s) if nominated to oppose President Nixon in 1972. (numerical preference if more than one)
 

a. Humphrey	d. Lindsay
b. Jackson	e. McGovern
c. Kennedy	f. Muskie
- I believe Ralph Nader would make a good national office holder.
- I am confident in the wisdom of the Supreme Court.
- I am confident in the wisdom of the U.S. Senate.
- The biggest problem confronting Americans today is:
 

a. pollution	e. housing
b. crime	f. education
c. Indochina	g. drugs
d. the economy	h. racial discrimination
- I am satisfied with the job that Lindsay has done as mayor of N.Y.C. (N.Y.C. residents only please).
- I am in favor of N.Y.C. becoming the 51st state. (N.Y.C. residents only please)
- I feel that final exams in NYLS should be proctored.
- In addition to final exams, NYLS should also implement mid-term exams.
- I am satisfied with the quality of the professors at NYLS.
- I feel that NYLS approaches its student body as attorneys of tomorrow.
- \*20. I think EQUITAS should be approved by the administration before it is read by the students.

Please cut out and deposit in OPINION POLL Box in Lobby.

## Model Abortion Program

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## To Our Readers:

BEGINNING NEXT MONTH EQUITAS WILL PUBLISH AN "ALUMNI NOTES" COLUMN ON ALUMNI PAGE. THE FORMAT WILL BE SIMPLE, DIRECT. THE CONTENT CENTERED AROUND THE RECENT PROMOTIONS, APPOINTMENTS, EMPLOYMENT AND PERSONAL LIVES OF OUR ALUMNI.

SEND ANY ANNOUNCEMENTS OR INFORMATION DIRECTLY TO EQUITAS, 57 WORTH STREET, N.Y., N.Y. 10013.

# EQUITAS EDITORIALS

## FROM THE EDITOR Point Of View

By MARVIN RAY RASKIN

### CHANGES . . . . SPRING RECESS . . . . INTER ALIA

The administration of New York Law School has reached a final decision in favor of a Spring recess, a policy editorially endorsed by Equitas early last Spring. We feel that this decision is a direct benefit for all members of the New York Law School community. Equitas believes this decision will mark a significant turning point in administration-student dealings. For those who have had their doubts this may also serve as an indication that students and administrators are not necessarily adversaries.

It is unfortunate in this enlightened day and age that many people on both sides of an issue seem to feel an immediate sense of panic at the thought of negotiation. There is an unwarranted assumption on the part of the individuals involved in controversy that the other party has no similar ends in mind. Both parties accuse the other of self-interest maintaining, of course, that their side is right "for the people".

What causes such panic and its resulting violence is nihilism. It is the refusal to believe in one's own ability to bring about change.

The Columbia and Berkley riots of the late 1960's were caused by student activists who felt that the structures had become so inflexible that they could not be changed. On the other side the administrators in the various universities had, for a long time treated students as a peabrained, beer drinking group of inconsequential frat-rats, in short, as a

hazard of the occupation.

Apparently no one expected the children of the World War II generation to be any different than their parents. After the war the survivors returned to the United States as tired victors. Their ethic was the ethic of silence; their war, the cold war; their peace, a sleepwalk.

The result of this inattention was a shot in the arm for corrupt administrators. The status of professional liar reached an all-time high.

Such is no longer the case. GI Joe junior is wide awake with both ears cocked. He wants to take a man at his word--the real essence of the new morality.

This development surprised Mr. Average America and at first offended him. "These kids are going too far", he insisted. Subsequently, Mr. A. A. began listening again and noticed faint traces of his own boyhood dreams; Robin Hood perhaps or the Green Knight came back in short glimpses. Yes, he once had such hopes and dreams for a better world. And so the silent generation (not majority) stirs again. Like Newton discovering gravity, the fruit of his silence is coming to rest on his head. Which apple hits him? Drug addiction? Welfare? Unemployment? Crime? War? It is only a matter of time before each of us reaps the benefit of our silence, then awake and wonder where our lovely dream world has gone.

Change is inevitable, revolution is not.

Where have all the activists gone? Has the sterility of unproductive and insincere efforts so clouded the fact that reform is a prerequisite to a genuine education that the skeptics have fallen by the wayside? Is the status quo so worthwhile that it becomes attractive as an alternative to seeking change?

□The freshman class of 1969 attacked the soul of New York Law School by treating it with massive doses of innovative free thinking. They caused the administration to shed the plastic coating that permitted the omnipresent fear of retaliation to exist.

These same students today, the graduating class of 1972, have become totally apathetic. Their drive and enthusiasm is indicative of their sincerity two years ago. The third year class is remembered condemning the graduating class of 1970 for being too "job conscious" to forego the "profession" for a belief that change was an inevitable result of their rebellion. The endeavors to seek transition has waned to the extent that their message to underclassmen might be "Don't rock the boat."

Each and every student with a legitimate grievance cannot climb adverse action by the administration in order to champion his personal cause. Too often the "me first" attitude of the individual student has stifled the collective efforts of a group. The reason for their stoicism is the opportunism of those who seek recognition by hampering unified efforts of student organizations.

The administration and the SBA have borne the brunt of third year student antagonism in the past. Criticism at the outset was well taken. Even now the administration must continue in its effort to extinguish the polarization within the student body. In light of the New York Law School traditionalism often cited contemptuously let us examine what has been accomplished with a view towards bridging the "administration gap."

Three years ago there was no Student Bar Association or student newspaper at the Law School. There existed no channel whatsoever by which the student could air his grievances, much less see them rectified. Two



years ago there were no elective courses. Last year there was no Spring Vacation.

These demands are no longer futile dreams in the twilight zone. Third year students have seen the transition and alas, once upon a time, sought to expedite it. What success has not been achieved can be attributed to the tepidity of those students whose incentive has faded in direct relation to the coming of their academic security.

What is your destiny fledgling attorney? Where will you fester your parasitic cancer of indifference? I hope not with your forensic successors. The sentiments of third year students and various other New York Law School "apathetics"; the demurrer majority, clearly projects the quiescence of the larger segment of America. Too much labor has been expended in an effort to condemn the bureaucratic machinery without offering a viable solution to its drawbacks. The time has come to either admit your cop-out. . . . or contribute.

### ADMINISTRATION OF CRIMINAL JUSTICE

Last week the faculty decided to change the Administration of Criminal Justice to a four credit course. This course is presently funded through the CLEPER program. Team-taught by Professors Dugan and Koffler, the course provides classroom instruction, and discussion, of the criminal justice system in New York. Guest speakers, including William F. vanden Heuval--chairman of the city's Board of Corrections--add another dimension to the course. The most important aspect of the course is the clinical experience gained during the more than 30 afternoons spent in the United States Attorney's Office or one of the county District Attorney's Offices.

If experience is the best teacher, the Administration of Criminal Justice Program can be the best course imaginable for law students whose education is too often limited solely to classroom study.

At the prosecutor's offices the students observe trials, assist in the interviewing of witnesses, submit memoranda of law, write briefs, research fine legal questions and are able to observe, first hand, the inner workings of America's legal system. It is with this exposure that the blinders come off the unseasoned student and he is presented a realistic picture.

Last year EQUITAS called for a greater emphasis on the clinical side of legal education. We believe that advocacy, moot court and the Administration of Criminal Justice should be required courses. Here a student may devote the minimal, required hours and learn practical techniques or invest more time to perfect a specialty. We again urge the faculty--upon whom the burden rests--to continue this valuable program if the funds expire and no grants are available.

Every program has its discontents and those who benefit little. But this type of experience is vital to the study of law in today's society. With NYLS's proximity to the most active prosecutors' offices in the country--the ACJ program is essential, and we hope every effort is made to keep this vital program alive.

### CONDOLENCES

The Editors and staff of EQUITAS offer their sincere condolences to Dean Walter A. Rafalko on the passing of his mother.

### QUOTE OF THE ISSUE

"Were it left to me to decide whether we should have a government without newspapers or newspapers without government, I should not hesitate a moment to prefer the latter."

T. Jefferson 1787

## EQUITAS

STUDENT NEWSPAPER OF NEW YORK  
LAW SCHOOL

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**FROM THE PRESIDENT**

**STUDENT BAR**

By MARSHALL LIPPMAN

The concept of the Student Bar Association is not an old and revered one. It is a recent experiment which has grown up as a result of the law student's consciousness that, as the consumer of the school's educational service, he can and should have a voice in the making of the school environment.

The Student Bar is built on the slim premise that the whole is greater than the sum of its parts. At its foundation was the original essence of a student's rights: the right to petition the Administration for redress or change. The fundamental principle is to somehow consolidate that original right and make it more effective through a structure. The main credentials of that structure are accurate representation, broad participation and the moral weight that a functioning organization can produce. I would like to report on Student Bar activities this month obliquely, as part of a discussion of its structure.

At the core of the Student Bar is the Executive Council which consists of class representatives. This is basically a legislative body which should serve to enunciate, through resolutions, the collective will of the student body. It should also serve as a clearing house for specific class grievances and a forum for ideas which come from the students within each class. Meetings of the Executive Council are open to all students and the broadest possible attendance is solicited.

Class Representatives have the responsibility of accurately representing their classes and presenting such matters as they are advised of by the members of the class. Representatives also have a responsibility to communicate with their classes, through class meetings and to serve on one of the various Student Bar committees.

Each student has the correlative responsibility of bringing matters to his representatives' attention and making certain that the flow of information back to the class is maintained.

The School-wide officers, in addition to their class representative status, have the administrative task of acting for the organization as a whole. They are responsible both to the Executive Council and to the entire student body. Conflicts arise if the students at large fail to completely utilize the class representative system or to become personally involved.

**SBA COMMITTEES**

To broaden participation, the Student Bar does much of its work on a committee level. The committees are open to all students with an interest and a



desire to do some work in a specific area. These committees include Social Affairs, Placement and Alumni Relations, Curriculum, Rules, Professional Community Service and Scheduling. Meetings of these committees are posted in advance and most work directly upon their respective projects or with the Administration and Faculty. Any student with an interest in working on one or more of these committees can simply attend a posted meeting, check with his class representative or stop at the SBA office.

The structure, therefore, is available and open and if it is used fully and in good faith then any failure to achieve exposes the areas in which the Administration is unresponsive or intransigent. On the other hand, the failure of the students to use the SBA puts the entire student body back on the footing of solitary petitioners seeking individual relief.

In this first month of the term, the Student Bar sponsored two social events: a movie and mixer which was regrettably poorly attended though those who attended found it to be quite a relaxing evening, and a first-rate lecture by Professor Means on the topic of Abortion and the Law. Social Affairs are ancillary to normal school activities and are planned primarily as a way of increasing the sociality among students.

Lectures are something of a different matter since they are

an opportunity to learn and to receive some additional intellectual stimulation. Here, student attendance and interest play a more important role. If audiences are sparse then there is a reluctance to invite more speakers and those who do speak are reluctant to speak again. A full program of speakers can greatly enhance your legal education but the success of any such a program is directly dependent on student support.

**PLACEMENT**

In the area of placement, each senior class has at least one co-ordinator and all information regarding post-graduate opportunities is being relayed through them. The Placement Bulletin Board in the Main Lobby should be consulted for additional information. There are currently negotiations by the Dean to hire an assistant to work largely in this area and Judge DiFede continues to offer his assistance. The Alumni Association will be offering assistance in preparation of resumes and with some additional student assistance I believe that a cohesive program can become a reality.

The Student Bar is basically your organization and no newspaper column can replace your active interest in what is going on.

**NADER PROPOSES LAW SCHOOL REFORM**

CONTINUED FROM PAGE THREE  
fits can be derived once such a course is adopted.

What the faculty may be realizing is that the breakdown is the last few years of its presumed or acutal arrogance toward the students -- whether ingrained or merely a teaching technique -- is a wonderful experience. The rewards reaped are increasing displays of foresight -- a quality of which the law schools in the past could rarely be accused -- and a greater infusion of empirical and normative content in course and extracurricular work.

**BRODER- AN ASPECT OF INJUSTICE**

CONTINUED FROM PAGE ONE

3. that fees commensurate with those regularly earned by trial counsel in other cases be provided in criminal cases, or

4. that there be an upward revision of fees in civil cases which will allow trial counsel in civil cases to undertake criminal cases thereby ameliorating the need for large trial counsel fees.

**FROM THE EDITOR**

**LAW FORUM**

By RICHARD ACKERMAN

I appreciate the opportunity presented in this column to acquaint you with the workings of the Law Forum and to apprise you of our status as the year progresses.

Our two part Urban Affairs Symposium, Volume XVI, Number 4 and Volume XVII, Number 1, is in the final printing stage. We anticipate distribution later this month. Our Women's Rights Symposium will go to the printer on October 14. That issue will be available during the late fall. During the year we will issue a Symposium on Federal Securities - an update of our well received 1969 study of the federal securities field. Each editorial board must consider whether to publish symposia in which many facets of a given field of law are explored or to pursue a general issue which takes on a broader scope. We see merit in both philosophies. In this spirit, our last two publications will be general issues enabling us to go far afield in terms of authors and topics.

One project, as interesting as it is substantial, is under review - A Symposium on the Modernization of the Law. Such an undertaking involves diligent investigation and the solicitation of the most prominent authorities in various legal disciplines. This is no small endeavor.

**CIOFFI EDITORSHIP**

John Cioffi was recently elected to the Editorial Board. Mr. Cioffi, a third year evening student, will serve as Associate Editor. We wish to congratulate him. In addition, several students have accepted the invitation to law review candidacy. They include: Ira S. Krup, Lloyd Levi, David Malach, Norman Rosenblu, Daniel Schoppick, David Sculnick, Pat Tierney and Richard S. Young from the day division; and Charles Maikish, Helene Netter, Robert Schweitzer, Carl Stahl and Stephen Weiss from the evening division.

These students will participate in a comprehensive program consisting of orientation followed by an introduction to the "White Book" (The Uniform System of Citation). Contrary to popular belief, this does not mean "memorizing" the book. What is essential is a working knowledge of our system of

citation. The next step entails the writing of a "comment" on a recent decision in publishable form.

Finally, we are gratified at the cooperation and concern shown by the Alumni Association. In particular, we take this opportunity to express sincere thanks to Mr. Ernest Marmorek, the president of the association and Mr. Michael C. Bernstein and Mr. Murray T. Kover for their courtesy and assistance.

**To The Editor**

SHADES OF J. EDGAR

I remember the orientation session held for incoming freshmen in 1969. Numerous speakers reminded us about the "honourable professions into which we will ultimately enter, the need for "integrity", "truthfulness", etc. It all sounded fine.

Very recently, I and most of my classmates and fellow students received, what I would certainly consider a "slap in the face", and insulted beyond the wildest realm of "chutzpah." (Note: Ask any one of your Jewish friends the meaning of this word.) I am speaking of the hiring of "ATTENDANCE COMMISSIONERS."

How can an organization dedicated to turning out competent attorneys, professionals

CONTINUED ON PAGE SEVEN

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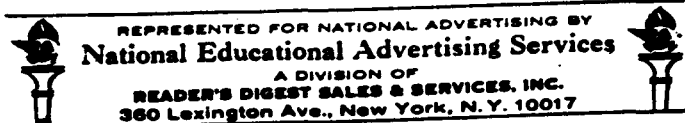
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# THE NEWS in Brief

## Professor's Son Receives Award

Dr. Vincent M. LoLordo, associate professor of psychology at the University of North Carolina, has been named a recipient of the Tanner Award, an acknowledgement for excellence in undergraduate education.

The \$1,000.00 award recognizes "excellent and inspirational teaching," especially at the freshman and sophomore levels.

Dr. LoLordo is the son of Professor Vincent LoLordo who has been a highly esteemed member of the New York Law School faculty for twenty-five years. Dr. LoLordo joined the UNC faculty in 1966 after receiving his B.A. from Brown University and his Ph.D. from the University of Pennsylvania.

Born in New York City and married to the former Mary Winter of Leonia, New Jersey, Dr. LoLordo teaches general psychology and learning. In addition, the Professor conducts research in animal learning and motivation.



PROF. CYRIL MEANS

## Means, Chopnic In Lecture Series

by Bob Winnemore

The Social Affairs Committee is well into its Fall schedule of events. There are two major programs run by the Committee.

The first is the Fall Lecture Series. Prof. Cyril Means delivered the first of these lectures on Friday, September 24th when he spoke on "Abortion and the Law". The lecture was indeed excellent and the event can be considered nothing short of a smashing success as the start of this new program. A stimulating question period followed, which unfortunately had to be cut short for lack of time, and the evening ended with a quick cup of coffee.

The next lecture is scheduled for Friday evening, October 29th, at 7:30 p.m. when Mr. Max Chopnick, Former Chairman of the International Law Section of the American Bar Association and Mr. Robert Coulson, noted arbitrator and Vice-President of the American Arbitration Association, will present a program on the "Arbitration of International Commercial Disputes".

The Fall Film Festival is the second major program conducted by the Social Affairs Committee. This series got underway on September 17th with a combined Student Faculty Mixer and the showing of "Bye Bye Braverman". I have been told per-

sonally by both students and members of the faculty that this was the best party the School has ever run.

My thanks go out to Phi Delta Phi, and especially to Bob McGann and Jim Sullivan for the punch and the other arrangements provided by the fraternity. And I must congratulate my co-chairman, Mike Weber, for his assistance in making the evening a success. Finally, Marshall Lippman's diligent attention to the Social Affairs program cannot go unrecognized, nor can the personal support of Mark O'Connell and Lloyd Targer.

I hope in the future that support for these programs will grow within the school, and hopefully among the alumni. The greater the opportunity for all segments of this law school community to meet informally, the greater the hope for the progress of the school on all fronts.

## Library Acquisitions

The Library is constantly expanding according to Professor Andrew Simak, New York Law School Librarian. The periodical collection is being increased and the library anticipates the addition of more books of general interest.

Among the publications received within the past few months are two biographies of distinguished Justices of the United States Supreme Court; JUSTICE JOSEPH STORY AND THE RISE OF THE SUPREME COURT by Gerald Dunne and HARLAN FISK STONE; PILLAR OF THE LAW by Apphus Thomas Mason.

Justice Story was a contemporary of John Marshall and the STORY'S COMMENTARIES led to his being styled as the American Blackstone. Chief Justice Stone served under President Franklin Roosevelt and this book is his first full length biography.

The field of International Law is represented by two acquisitions; LEGAL EFFECT OF UNITED NATIONS RESOLUTIONS, by Jorge Castaneda, Chief Director of Foreign Affairs for the Republic of Mexico; PRIVATE LAW SOURCES AND ANALOGIES OF INTERNATIONAL LAW written by H. Lauterpact, a former Justice of the International Court of Justice.

The philosophical basis of the law is represented by a new collection of essays by the distinguished English scholar, Sir Frederick Pollock. Prior to his death, Sir Frederick had taught at Oxford in England and Harvard and Columbia in this country.

In the realm of current events the library has just acquired the New York Times publication of THE PENTAGON PAPERS. Professor Simak expressed his gratitude for the donation by the LAW FORUM of non-reviewed books received by them.....A. Rachlin

"We are under a Constitution, but the Constitution is what the judges say it is."  
Charles Evans Hughes



Professor Berman with former Mayor Robert F. Wagner.

## Professor Berman Moderates WNYC Weekly Interview Show

Frederic S. Berman, former State Senator, City Rent Commissioner and presently Adjunct Professor of Law at New York Law School is host of a television interview series entitled FRED BERMAN PROFILES which is seen each Sunday at 8:30 p.m. on WNYC-TV, Channel 31. The program is a weekly interview show conducted by Professor Berman and presents noted political and civic leaders. Mr. Berman conducts an in-depth interview with the weekly guest and is joined in the questioning by two law students selected from New York City law schools.

As host and producer of the show, Mr. Berman has brought to the program such noted guests as Howard J. Samuels, President of the Off-Track Betting Corporation; William vanden Heuval, Chairman of the New York City Board of Corrections and Robert F. Wagner, former Mayor of New York City.

On his premiere show which profiled Howard J. Samuels, Mr. Berman was joined in the quest-

ioning by John Molinari of Fordham Law School and A. Michael Weber of New York Law School. On that show, Mr. Samuels, long considered one of the leading Democratic contenders to replace Mayor Lindsay, publicly declared himself out of contention for the Mayoralty race. Mr. Samuels also trenchantly discussed the need for a re-alignment of national political parties.

At the time that Mayor Lindsay threatened the station's existence, with his recommended budget cuts, Mr. Berman was instrumental in saving both WNYC-TV and its companion Radio station. Berman was one of the forces that mustered public support of the station and thus



PROF. E. BLYTHE STASON  
PROFILE—  
Prof. Stason

CONTINUED FROM PAGE TWO

culum and planning will prove beneficial to the school.

When asked if the burden of improving the law school and increasing school services lies with the administration he unhesitatingly replied: "It is the duty of students and teachers to make well thought out suggestions for the improvement of this institution. The burden of improving legal education at NYLS falls on ALL of US." Prof. Stason is the son of the well-know dean of the University of Michigan Law School from 1939-1960. The most hurried and brief discussion with Prof. Stason shows him as a man with varied interests, numerous influential acquaintances and a personality from whom NYLS and the students will benefit.

Kriesberg - D'elia

## Simak Appointed Claims Arbitrator

Andrew Simak is both professor of law and librarian at New York Law School. On October 12, 1971, Professor Simak was sworn as Court of Claims Arbitrator by the Administrative Judge of the Civil Court, Justice Thompson.

Simak will serve primarily in the evenings in his capacity as arbitrator on a rotation basis with other appointees. He has accepted this voluntary public service position with no compensation.

## Pregnancy Test

Same day result now available without appointment. This service is offered at: Eastern Women's Center, 14 East 60th Street. For further information, call: Libby Rubin at (212) 832-0033.

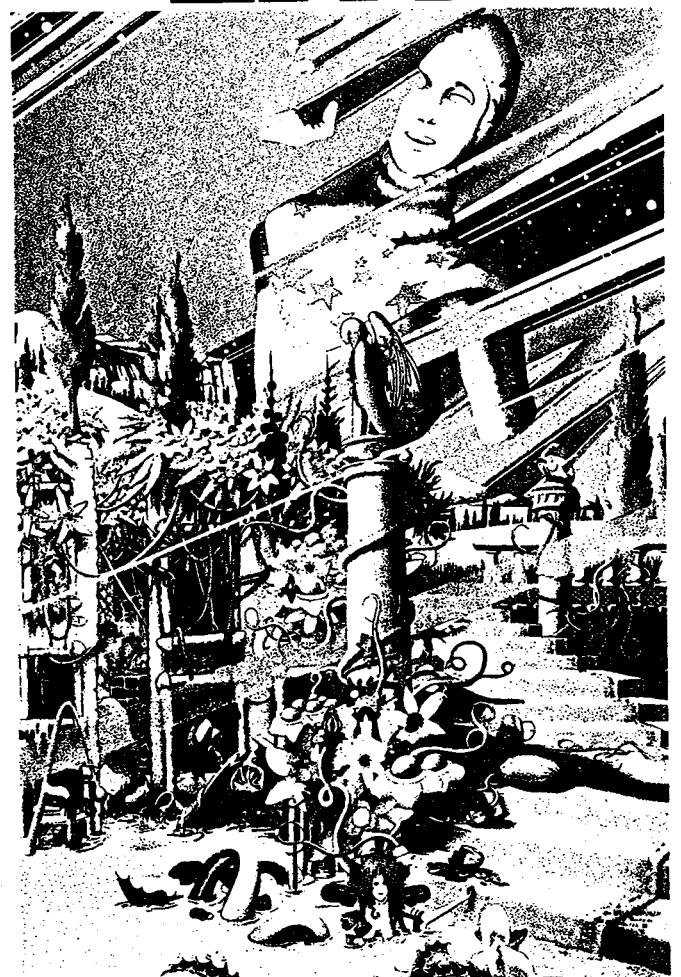
assured its continuity.

Professor Berman's concept for the program is that it spotlight "the people whose decisions and opinions affect New Yorkers" and present them in an unrehearsed and uncluttered format. Berman is able to bring his extensive background to the questioning which elicits extremely candid but informal answers.

Students at New York Law School who are interested in appearing on the program should contact Mr. Berman directly

"Delay of justice is injustice"  
Darrow

# LIVE



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## Believe In The Magic

by DAVID J. MEISELMAN

It's six years now and what John Sebastian said is still true. Believe in the magic, it'll set you free.

There is nothing really new in the concept that profound positive social change can come about through sound rather than muscle. Andrew Fletcher of Saltoun, an 18th century Scot, said, "give me the makings of the songs of a nation and I can the songs of a nation and I care not who makes its laws."

But it is excruciating frustration for grim, joyless, anti-poetic idealogues to accept it. They are still too deeply rooted in the rhetoric of yesterday and imprisoned by the logic of tomorrow. We have reached a point beyond politics. We are now in an age of para-political screenplay; an age which could have much deeper ramifications in its ultimate effect than any political event that has happened so far. More so even than the anti-war movement, which was not even truly political but something much deeper to which politics illegitimately attached itself.

The labels are shifting, as Ken Kesey observed a decade ago and as Dylan once said, there is no left wing and no right wing, only up wing and down wing.

Music gives us community, a community that politics is in-

capable of giving without taking. Music never stumps for acceptance. Much of the verbal philosophy of the art/music genre may appear superficial and some of it possibly is. Certainly some of it has not yet been thought through. But in the face of a world history that says revolutions self-destruct to become, in another form, the oppression they were aimed to destroy, this age may finally realize that the way of art and it's undemanding power is greater than the strength of destruction and violence.

Music has become more than entertainment to many in this age. It is an educational system, a history of the past, a prophecy of the future, a common ground, a network of electricity linking people together by invisible chains of sound. As a carrier of information, it is unequalled in history. Ideas, attitudes, illuminations, emotions, feelings and thoughts. . . music transmits, without hampering the mobility of the listener. A vast social revolutionary "up-proach" is underway which will, in time, effect society without youth having to rampage or having uniformed robot riflemen wound up and unleashed.

This movement, though slower, is wider and deeper than it seems. Some of those on the

fringe will insist on standing on soap boxes, singing the Marxist-Leninist Rag and Papa Ooo Mao Mao and other hymns to mythological figures they never really understood to begin with. Recall that Lenin stated throughout his writings he could never live in a commune. . . he couldn't stand that many people around all the time. Others will cloak themselves in Panther-type rhetoric. . . and attitude and pretend that they are oppressed and exploited like the genuinely oppressed and exploited black people and poor white. But, in essence, they are simply politically expendable canned heat. We cannot allow them to mislead us. We cannot let them keep us from feeling and thinking. . . on our own. . . freely. . .

The music will set you free. Try it, listen tonight. It works. Some say that "free" is another word that demands re-examination. How about "community," "ethnocentrism," "relevance" and the rest. Spelling remains constant. Old definitions, old forms and old labels are changing. What will emerge is still vague but it is beginning to ask for space.

And the first request it makes is for trust and love; the same two things that began it all and have managed to survive all the revolutions and counter-revolutions since. The last remnants of the collapsing structure will make a lot of noise and a lot of fruitless, unfortunately violent, gestures. But it will end and they will end with it.

Believe in the magic.

## Counsel For New York City: R. Harcourt Dodds

by ALTON WALDON

High up on the sixteenth floor of that imposing gray edifice, the Municipal Building, is the office of R. Harcourt Dodds. Those who have been involved in legal actions with the City of New York will recognize it as the location of the Corporation Counsel's Office. Mr. Dodds' journey to that high position has been both rapid and filled with interesting junctures.

Prior to August 3, 1970, when he became Executive Assistant Corporation Counsel, Harry, as he is known to his associates, was the Deputy Commissioner in Charge of Legal Matters for the New York City Police Department. He was with the Charles Pfizer Corporation as a member of its legal department from July, 1966 to June, 1967 and prior to that he was an Assistant United States Attorney, Southern District of New York assigned to the Criminal Division, for three years. Immediately following his graduation from Yale Law School, under the Africa-Asia Fellowship Program administered by Syracuse University, he became the Assistant Commissioner for Native Courts, Ministry of Justice, Northern Nigeria. This venture lasted from September, 1961 to March, 1963.

Mr. Dodds is a product of the school system of the place of his birth: New York City. Upon his graduation from Stuyvesant High School in 1954, he entered Dartmouth College and before his graduation in 1958 had become a Rufus Choate Scholar and a member of Phi Beta Kappa.

The conversation with Mr. Dodds covered many areas of interest to the students of New York Law School. He addressed himself to his international experience while in Africa and

then to the difficulties encountered in facilitating the operation of the Civilian Complaint Review Board of the New York City Police Department.

Regarding the CCRB and the question: "Was the Civilian Complaint Review Board on the level?" He said, "The CCRB is a part of the Police Department, unlike the Board which was proposed by the Mayor and defeated in a referendum which had a predominance of non-police personnel in its membership. The present police board. . . is in reality a continuation of the one which existed before the Mayor's redesignated board and is made up of people who all work for the Police Department. In my opinion, implicit in that it is a possible source of criticism, perhaps legitimate, that it is not possible to get the independent perspective of police conduct that you would have if you had persons who had no ties whatsoever to the Department and who could sit in clear objective judgment of the allegations made."

Wanting to know how Mr. Dodds felt, being part of the legal machinery responsible for defending the actions of the City, I asked: "How do you view the problems of divisiveness and polarization and their effect on the people and government of New York City?" "I think what happens with divisiveness and I think we are experiencing a phenomena of divisiveness, and I define that as people defining their best interests in terms of slogans which downgrade and which enfeebles of antagonism towards others. The problem is, I think, it distorts priorities to the extent that you are concerned about people because they fit under some sort of a label. Whether that label is a label



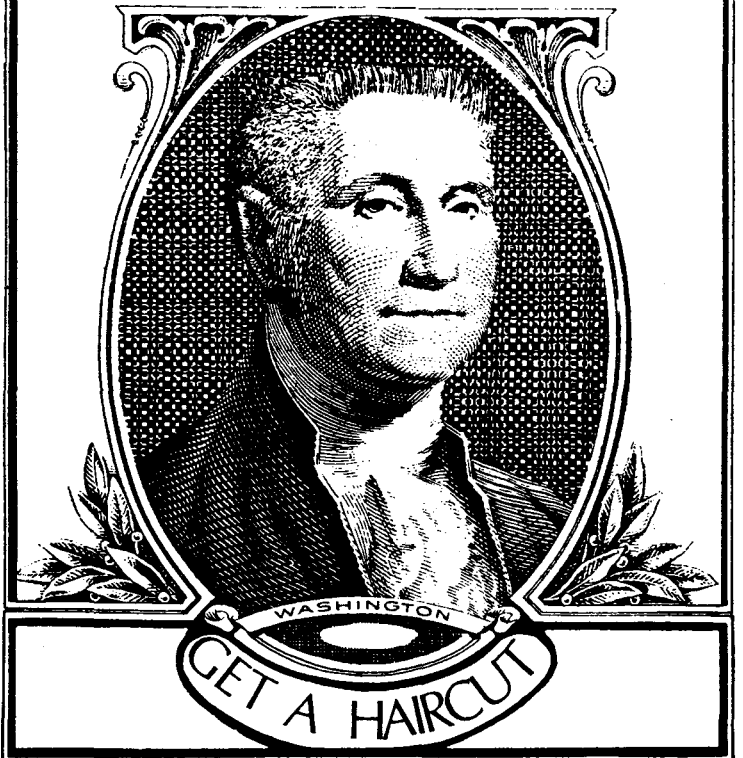
R. HARCOURT DODDS

of divisiveness towards people who are conservative or of divisiveness towards people who are liberal, it keeps people from focusing on what the problems are. . . I think that's the problem. That people have been appealed to in terms of their emotions rather than their rationality and if you have that you have a distorted view of what the real issues are and the kinds of solutions that we should be working on to deal with these problems."

In conclusion, in answer to the inquiry, "What career opportunities are available that you would recommend to the students at New York Law School?" "The Honors Programs run by the Corporation Counsel's Office for third year law students who are either in the top quarter of their class, or on Law Review, or who have a B average, is a civil service position which pays approximately \$13,000 per year and it is a competitive exam for entry but the graduates who are accepted for that program get an opportunity to work in our office and eventually they become assistant attorneys with the City of New York assigned to the Corporation Counsel's Office. It is a marvelous way to start a legal career because the subject matter is as wide and challenging as one can hope for. Environmental protection, consumer affairs, contracts, to name a few. Plus excellent supervision by the seasoned

CONTINUED ON PAGE EIGHT

KEEP AMERICA BEAUTIFUL



## Koffler Assists Minority Students

by CLIFF ELLNER

Professor Joseph H. Koffler is a man with a personal commitment to people.

He demonstrates this commitment by representing New York Law School on the Consortium of Metropolitan Law Schools, a group dedicated to attracting minority students to the study of law.

This summer, Prof. Koffler was one of three professors who taught a law orientation at Brooklyn Law School. The program, although not limited to minority students, was sponsored by the Consortium--whose aim, according to Prof. Koffler, is "to seek out and encourage minority group students who are qualified to attend law school."

Prof. Koffler's involvement began almost three years ago, when as one of the originators of a minority group pre-law conference at Fordham Law School, he headed a panel on law curriculum and study. About 300 students attended the conference, which has been the model for subsequent efforts throughout the nation.

New York Law School, NYU, Brooklyn, Fordham, and St. John's cooperated in the organization of that initial conference.

Largely as a result, five law schools - - NYLS, Brooklyn, Fordham, St. John's, and Seton Hall - - banded together to form the Consortium, aimed for the evening student. "It was thought," Prof. Koffler says, "that there was a larger group of people who would be interested in attending law school in the evening because of economic demands by their families. This was an untapped area."

Since then, the Consortium has tried, under the direction of Harold P. Seligson, former director of the Practicing Law Institute, to raise money and direct scholarship funds towards prospective minority group students.

The Hon. Charles W. Froessel, Chairman of the Board of Trustees of New York Law School, serves on the board of directors of the Consortium and Dean Walter Rafalko has represented NYLS at its meetings along with Prof. Koffler.

This was the second year the Consortium sponsored a summer orientation program, and the second year that Prof. Koffler taught Torts. The 70 pre-first

year students who attended the three-week evening sessions spent a week each with Constitutional Law, Contracts, and Torts. They were introduced to the casebook approach to legal study. The professors, Prof. Koffler stated, tried to "help the students develop their powers of legal reasoning."

## Letter To The Editor

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upon whom many people will have to rely, people who will occupy positions of trust, counselors who will at times be responsible for life and freedom of another human being, how can such an organization say, in effect: "We cannot T R U S T you to give us an accurate account of the class attendance!" The above is the only rational argument for hiring an outsider as a full-time attendance taker. Why else was this job not given to one student in each class? Why else shouldn't a struggling law-student earn a little extra money?

I do not think that anyone can reconcile the speeches given at orientation with this method of attendance taking. In fact, I think that this cannot be reconciled with the legal profession as a whole.

I fear that this is not the end of it. As you well know, we are required to brief cases and to be prepared. Perhaps, if NYLS follows its present course, we will see the hiring of "Brief Investigators" or "Notebook Monitors", young people whose job it will be to check if you're up on your cases; "Home Study Superintendents", who, without valid warrant can enter your home to make sure that you're studying; "Library Inspectors" who will make sure that you're spending an appropriate time in the library; and last, but surely not least, "Curfew Commissioners" who will make sure that you're in bed, alone if you're unmarried, by 9:00 p.m., so that you will not be drowsy during a lecture and will be able to pursue the study of law with great vigor.

WILL SOMEONE PLEASE PASS THE CRAYONS!?

George Farkas  
Class 3-1D  
Oct. 13, 1971



# Dwight Inn Begins Fall Program With Coffee Hours

Dwight Inn of Phi Delta Phi legal fraternity initiated the fall induction program by sponsoring coffee hours for first year students and assisting the Student Bar Association in the first social of the year.

## TWELVE WOMEN APPLICANTS

Twelve women were among the thirty-six students who submitted applications to Pledge Master Michael Rehill by press time. By constitutional amendment, ratified this summer, the fraternity opened its rolls to women. Robert McGann, President of NYLS's chapter of the fraternity, announced that the fall initiation will be November 19, and that anyone interested in applying to this-the second largest legal organization in the country-has until October 25.

## ACADEMIC AWARDS

In addition to membership in the 102 year old society each member is eligible for a cash award of \$200 for attaining the highest academic average for a one year period. Two such awards are presented each year. Last academic year the award was \$100. The increase comes as a result of the 40th General Convention held this summer in Canada.

## LOAN PROGRAM

To any member of Phi Delta Phi who has completed one full year of law school and has been a member of the fraternity for at least six months the fraternity grants non interest loans. The loans are for amounts of \$50 to \$500, and mature within two years of graduation from law school.

Many of these programs are the direct result of efforts by the governing council of the International Legal Fraternity. The officers recently elected to this board are: John W. Shenk, Esq. of Los Angeles, President; and C. Henry Heckendorn of Seattle, Vice President. Three members of the council were

ratified. They are: Henry A. Berlinger, Jr., Esq. and Daniel R. Ferry, Esq. of Washington, D. C.; and Leonard S. Powers of Florida. F. X. Kaine Crowley of Forest Hills, New York and Kenneth H. York of Canada were also re-appointed members ex officio. Any student interested in help-

## MAZUR HAILS JAB PROGRAM

CONTINUED FROM PAGE ONE

It can give him an insight into the mental processes of the judges, the behavior of the district attorneys and the legal aids and the general deportment of the private attorneys. Further it provides a general knowledge of the penal laws and their application to the most recurring street crimes.

The student can also learn how each case is different because of the variegated types of personalities presented by the team, which he will meet in court. The team consists of the judge, correction officers, district attorneys, legal aids, private defense counsel, the public and the defendants.

Those students who are interested in the administration of the courts and how the machinery behind the scenes supports the judge, can find excellent experience in the administrative offices of the Criminal Court. This experience can enrich the student in his basic knowledge of the law and of the mortal weaknesses and strengths of our judicial procedure. It will also have a salutary affect on any future exposure that the student may have to a position either in a law office or a governmental agency.

A commitment of will and resources to reform the criminal justice system can begin to build law and order. There is no cheap way to conduct a war against crime or against heroin, which I consider the chief cause of crime in the streets.

The American system has been good to most of us. It now asks

grams for the year should contact Mr. Mc Gann or Michael Rehill, Pledge Master, through the school mail boxes on the first floor or leave a message at the Student Bar Association office on the 4th floor, or at the Fraternity office in the basement.

for a return, for our voices, our energy, our faith, and our trust in each other. Dedication and commitment to the cause of justice can be a very rewarding experience and a beautiful life style. I wholeheartedly encourage each student taking criminal law to investigate this field for its enriching experience both present and future, and for the contribution that the student may make to the school and the community in volunteering for this work.

## WALDON ON DODDS

CONTINUED FROM PAGE SEVEN

attorneys of our staff." Throughout the interview, Mr. Dodds intimated that this is a time of golden opportunity for the young lawyer to get involved and to facilitate the necessary changes in society which will help to alleviate the divisiveness, unavailability of legal counsel for indigents, pollution of our environment, and seemingly the anemic snail's pace of the wheel of justice. We look for continued involvement in government by Harry Dodds for it is from people of his stature that we receive inspiration to pursue that ethereal enigma sometimes sardonically called "justice."

"The first half of our lives is ruined by our parents and the second half by our children." Clarence Darrow

## FRATERNITY PRESIDENT

# PHI DELTA PHI

By ROBERT MCGANN

Dwight Inn was happy to cooperate with the Student Bar Association's inauguration of the fall film and lecture series. Since then I have heard criticism and suggestions on how to improve the program -- all coming after the event. The program was a well-intentioned student effort to provide the student body with an opportunity to meet each other on an extra-curricular level.

Now we come to the inevitable question: "Was it a success?" I am tempted to cast the issue aside and avoid any answer at all. But an answer is imperative, because therein lies the future of virtually all student-inspired activity within the law school. For those who did not (a much larger group than the former), is obviously was not. This rather simplistic answer does not resolve the issue. The future of such programs is the key point.



## PROBLEMS OF SCHEDULING

A film program will always run into problems ranging from the choice of a film to the time of showing. If the prevailing attitude of why-bother-to-stay-or-come-back-to-see-a-flick-on-the-fourth-floor? remains, the program is doomed already. Hopefully, this apathetic feeling will change.

Less understandable is the reluctance of a large number of students to attend the lecture series. The premier address given by Prof. Cyril Means could not have been more successful in terms of the contribution made and the manner in which it was received. Here was the situation so longed for-- a great intellect willing and capable of holding an audience for more than two hours on a timely subject. Cyril Means illustrated that we need not "go elsewhere" for such a presentation. More than that, he demonstrated a sincere interest in his students.

This gives rise to the issue: have we reached an impasse or do we keep working to achieve the potential presented? Perhaps scheduling and location can be improved upon, but I urge you not to let what was started this semester fizzle out -- it is potentially too valuable.

## PHI DELTA PHI IN NYLS

Why devote so much space in this column to school-wide affairs.

Dwight Inn has always felt concern that transcends fraternity affairs. Our role was a small one in these programs, but we

will always be happy to do the "backup" work for such projects, just as we have traditionally assisted at commencement and will offer our services at Dean's Day. We are not interested in the policy-making aspects; nor do we look toward control of these student-wide functions. The members of Dwight Inn hope to continue these cooperative ventures and to see a growing number of students taking part to make the series successful.

It's been rather difficult organizing the Inn this semester. We have been happily interrupted by several holidays. We'd like to get the Day and Evening members together while at the same time launching the most ambitious pledge program in the history of Dwight Inn. This will include meeting with potential members from all divisions and years in the school. We anticipate having a good number of our members join the Phi Delta Phi Association of the City of New York, an opportunity now available to third year members of Phi Delta Phi. It presents a chance to meet practitioners throughout the metropolitan area. The Association -- the oldest of its kind is a recognized Bar Association in the state -- is planning an active year and a large representation from Dwight Inn would be beneficial to all.

## A PLEA TO THE ALUMNI . . . .

For three years we have attempted to print -- as space dictates -- all articles and letters submitted by our students, faculty, administrators and alumni. We have faithfully published those articles in which we agreed and/or disagreed -- because of our firm commitment to the Constitutionally guaranteed 'freedom of the press'. We would like to continue this policy.

But we have reached an impasse.

Our budget will sustain four more eight-page issues. We would like to publish six ten-page issues. We have the personnel. We have the copy. We do not have the money. Solicitation of local merchants proves increasingly less fruitful.

In the past the alumni have supported our work by hurling praise and brickbats in our direction. For the first time we are asking for more: All of us are after the same goal -- a better newspaper. To do this we need your comments, and now request your checks. The comments will be carefully considered, the checks applied to broadening our content. (See announcement on page three.)

Check the appropriate box below and send your tax deductible checks directly to EQUITAS Alumni Fund. Each contribution will be personally acknowledged in the next issue of EQUITAS.

Comments will be printed as space allows.

Editorial Board

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