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The Advocate, 1985

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10-21-1985

## The Advocate, October 21, 1985

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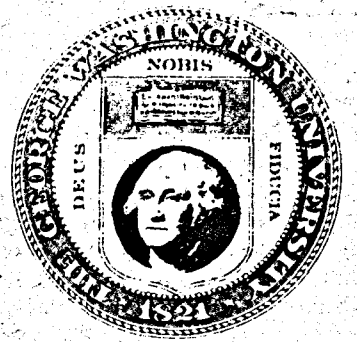
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George Washington University Law School, 16 The Advocate 3 (1985)

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# The Advocate

STUDENT NEWSPAPER OF THE NATIONAL LAW CENTER  
THE GEORGE WASHINGTON UNIVERSITY



Vol. 16, No. 3

Monday, October 21, 1985

## Schorr Slams Television News

by Donald Mooers

Calling modern journalism "a small tail on a very large entertainment dog," Enrichment speaker Daniel Schorr gave his opinion of television's reporting of the news in a speech delivered before 140 students and faculty at the Law Center on October 10th.

News programs share television's main function: entertainment. "The name of the game is ratings," he said. "News shows must be dramatic, confrontational, and must appeal to the emotions."

Television "is not a good medium for transmitting information. To merely experience something does not substitute for knowing about it, and does not explain why it happened."

Television journalism does not go "where the news is, but where pictures take you." The medium, he explained, was in the video shot. "If you can put any information in the story, then you have

## Clinicians Prepare Proposal

by Anne Mary McCormick

On October 25, 1985, the academic faculty of the National Law Center will convene to hear a report on the status of the law school's clinical faculty. A presentation by the clinic's staff attorneys will be followed by a three to four hour discussion of a proposal, drafted jointly by the staff, to institute a combined system of tenure and long term contracts for those members of the faculty who both teach and practice law from their headquarters in the basement of Stockton Hall. The twenty page proposal, conceived in meetings this summer and written cooperatively by the staff of the GW Community Legal Clinics, is an effort on the part of the clinical faculty to eliminate a perceived "second-class" status and to establish standards for compensation and job security comparable to those of their academic counterparts upstairs.

The law school's year long self-study, in preparation for the ABA's 86-87 re-accreditation visit, has provided the

as well as a chance to lobby actively for a tenure system which the clinical faculty believes will ensure "the continuity and quality of clinical instruction and the continued development of one of the best and most varied clinical programs in the country."

The National Law Center is not the only forum where the issue of tenure for clinical faculty has arisen. The ABA has responded to the nationwide development of legal clinical programs by recognizing the historical transition of clinical instruction from an experimental technique of the 60's to an established methodology of the 80's. By the enactment of a new ABA Standard for Approval of Law Schools, Standard 405(e), the Association seeks to resolve a disparity between treatment of academic and clinical faculty with the ultimate goal of assuring quality legal education for the student. The standard provides that law schools should afford to full-time faculty members employed in its professional skills program a security of position and level of compensation "reasonably similar" to that of other full-time faculty. The use of the substantial similarity requirement leaves



Students Giving Consumers H.E.L.P. in Clinic

discretion with the institution in the implementation of 405(e). It is in the attempt to secure a specific and favorable implementation of the standard that the clinical faculty has submitted its detailed proposal for a tenure process.

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## NLC's Future

and administrative standards required of all accredited law schools.

The NLC is required to produce a "self-study" during this visit, and Schwartz expects most of the material to be drawn from discussions conducted at the retreat.

Two student representatives will attend the retreat; second-year Michael Paul and third-year Judy Scully. Paul said that he is particularly interested in smaller sections for first-year students and a more formalized legal research and writing program.

## Quake Aid At NLC

by Michael Goldsmith

A fundraising drive co-sponsored by NLC student groups International Law Society and Movimiento Legal Latino raised \$864.81 during the week of Monday October 7. The money was channeled through the American Red Cross and was earmarked as funds for shelter for both children and elderly whose homes were destroyed in the disaster. "I was very impressed with the amount of money raised by only four days of table sitting," said Victoria Amada of MLL, co-coordinator of the earthquake fund.

Approximately 25-30 students sat at the table, including many first year students. Professor and student contributions "ranged from a few coins to a \$50 check from one student," according to Amada.

"I think we could have collected a lot more," said Lisa Grosh of ILS, also co-coordinator of the relief drive. "Some people said, 'We can't contribute; we're poor law students.' That's all relative compared to the situation in Mexico." Grosh noted that this is the first time ILS has even done anything like that. "We should try to expand our interests beyond the walls of Lerner Hall, she noted.

"Considering time constraints, we raised a significant amount of money; more than I expected," said Amada, who had friends and relatives in Mexico City at the time of the quake. "As with the Ethiopian student fund, NLC students really came together to tangibly express their concern for the welfare of others. After all, nosotros somos el mundo!"



See Results of Doodle Contest on Page 8

Enrichment from Page 1

Schorr held that television was responsible for the rise of terrorism in the world. He said terrorism brings together all the emotions television loves — "suspense, tension, good guys-bad guys, people in danger, violence." "Foreign terrorists," were said to "have learned how to manipulate American television." Iran was used as an example. The students who overran the U.S. embassy in Teheran discovered that by becoming big stars in America, "they grew in power in Iranian politics." Television turned a small demonstration into a 444 day hostage crisis.

Schorr's remarks touched on a wide range of topics and personalities. "Walter Cronkite loved fires. Fires became national news when it became known that Walter Cronkite liked fires." Edward R. Murrow loved trains so much that Schorr once had to search the Polish countryside to find a good shot of a working train behind the Iron Curtain.

John Hinkley was described as being "as old as television. He watched television 12, 14, 16 hours a day while eating junkfood." Shooting Reagan before television cameras "achieved what he wanted — fame. He possessed the knowledge that television would react to violence."

Particularly scathing remarks were saved for politicians. Several times

throughout the evening he talked of senators who did not wish to convene if they were not covered by television. Joint Economic Committee Chair Hubert Humphrey once needed a quorum to hold a hearing on an important bill. "Please cover the meeting," Humphrey asked. "I don't know whether we can," responded Schorr. "Well, then, couldn't you just set up a spare camera! Just seeing a camera will get the senators to the meeting."

The Fairness doctrine was described as "a search for balance, not for truth," where "ideas are diminished, personalities are raised." The Fairness doctrine ensures only that an "extremist" and a "lunatic" will slug it out before the American public.

Schorr's career has taken him around the world covering stories for the Christian Science Monitor, the New York Times, CBS, and Cable News Network. He risked a jail sentence when he refused to reveal his sources for a report in CIA and FBI scandals to the House Ethics Committee. He was arrested by the KGB and barred from the Soviet Union for his criticism of the Soviet regime and defiance of censorship.

He believes his greatest contribution was "telling the American people what other people don't want to reveal."

"Media today is full of media events — picture opportunities. Reporters don't want to get on difficult stories." Daniel Schorr is owed a round of thanks for his love of difficult stories.

## Chinese Students Study at NLC

by Mark Graven

Law students often have to put up with the question, or variation thereof, "Are you sure the world needs one more lawyer?" If the part of the world is China, the answer is a definitive "yes" — and especially lawyers with knowledge of Western legal systems.

At least that's the picture drawn by three students from the People's Republic of China who are attending the NLC this year. The three students, all from Shanghai, are seeking to learn about the American legal system to aid them in their jobs, which involve business dealings with the West.

Liyun Xu, 39, is an interpreter with the Shanghai Marine Diesel Engine Research Institute, specializing in Technology transfer. Zhong Xu, 32, is a staff member of the trust department of the Bank of China's Shanghai branch. And Mubio Chen, 32, is an official of the Shanghai Science and Technology Commission.

The three report that although they have been studying hard, they are enjoying their stay at the NLC. "The first couple of weeks, we spent 15 hours a week studying, now we feel more comfortable," said Liyun Xu. "We really appreciate the opportunity to learn about the American legal system, especially about laws related to trade and business transactions."

The Chinese students are auditing three courses — Corporations, with Dean Harold P. Green and Contracts and Conflicts in Law, both with Professor Pock.

Their program was constructed through the efforts of Professor Morton S. Taubman, who made contact with them on one of his trips to China.

The students say that since 1978, when the People's Republic and the U.S. established formal diplomatic relations, China has been pushing to get more lawyers. "Compared to the U.S., there are very few lawyers, but the number has been growing since 1978," said Liyun Xu. "The government is doing everything possible to educate lawyers and promote the legal system."

Zhong Xu says that his employer, the

Bank of China, installed a legal department just last year.

The supply of lawyers in China dropped severely during the "Cultural Revolution"

Some of the lawyers went to work in the factories, others to farms, according to the students. Now, they say, some of these lawyers are returning as professors at law schools that are springing up around their country.

Law students in China are generally younger than their American counterparts, according to the Chinese students. They say that the study of Chinese law may not be as complex as studying American law. "In China, although we have 29 provinces and the autonomous regions, there is only one law," said Liyun Xu.

The Chinese students say they are impressed by the NLC. "George Washington students are very active," noted Liyun Xu. "And we appreciate the way the professors conduct classes. They are very responsive to the students."

The students say they also appreciate the reception they've gotten in the U.S. "The American people are very friendly to the Chinese," said Liyun Xu. He added that many of the Americans he has met seem to know little about China. "Especially about the current situation in China — the open policy, the development of industries, and the nationwide drive for modernization."

The Chinese students say they are eager to improve their English and learn about American culture. Liyun Xu, who has worked as interpreter, is fluent in English, but he says he, like his companions, has trouble with slang. They also say they want to get involved in extra-curricular activities. Chen says he has played some baseball in China, and would like to participate here, while Zhong Xu wants to play basketball at the Smith Center.

One thing all three find perplexing is the noise level around the university. "The fire engines should turn off their sirens when they go by the university so the students can study in peace," says Liyun Xu.

# Homecoming and Commencement Plans

by Robert D. Jacobs

A recent meeting of the Student Bar Association (S.B.A.) revealed that steps are being taken to prepare for commencement, 1986 and for a homecoming celebration on November 9, 1985. The October 1, 1985 meeting, which was attended by eleven of the fourteen elected members of the Assembly, also addressed the proposal by Night Vice-President Lance Johnson, for an examination of the correlation between standards now used for NLC admission and actual performance of students at the NLC.

On the topic of commencement, Day Vice-President Franc Perry stated that the names of eight individuals had been submitted to Dean Jerome Barron for consideration as potential commencement speakers. Perry added that the Dean will now look into the possibility of obtaining one of these individuals. In other commencement news, an additional \$5.00 fee for class dues will be slapped on 1986 graduates, Perry said. This charge is designed to cover the expense of a class gift and bottle of champagne for each graduate. Also planned in conjunction with graduation is for invitations to be printed and for two parties to be held. One party has been tentatively set for the last day of

classes, to be held on a boat on the Potomac River. Another party has been tentatively planned for the day before graduation on the quad, with faculty, students, and parents invited.

Plans for homecoming festivities were also discussed. In an interview subsequent to the October 1 meeting, President Karen Avagliano confirmed that homecoming events are set for Saturday, November 9, 1985. Those events are to include a football game on the quad between two law school intramural squads, a tailgate party, and a parade with floats along "H" Street, between 20th and 21st Streets.

The S.B.A. was also presented with a proposal to analyze the relationship between admission standards and actual performance in law school, by night Vice-President Johnson. Considerable discussion followed the proposal, where members of the Assembly expressed concerns regarding infringement upon the admissions committee's discretion and the desire of law schools to keep their admissions process as a "black box." Avagliano concluded that there would be no problem if the project was designed as an effort to help the admissions process, as opposed to an attempt to control it. A committee was instructed to proceed with the project.

## Baron Von Slaughter Stripped of Title

Barron Von Slaughter has been stripped of his title by the DAWF (Devil's Advocate Wrestling Federation) Chief Commissioner, and Banzhaf Beefcake, the

## Banzhaf Beefcake Named Champion

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## One Student's Uncommon Commute

by Joe Admire

In comparison to the other members of the NLC's entering class of 1988, there isn't really that much that makes me stand out from the crowd. There is one thing that makes me, and the rest of the student body, immediately recognizable as denizens of GWU; I commute.

That simple statement seems inadequate to convey the reality of the situation. It's rather as though Muhammad Ali were to say, "I box." Mine is not your ordinary 30-minute jaunt across Northwest from Adams-Morgan or Kalorama; I live 25 miles out, in south central Fairfax County.

Some students will have gone through such travel in the past. I do not address myself to them, but rather to those who have never had to travel further to school than the equivalent of that 30-minute breeze previously mentioned.

In my case I consume over a thousand miles per month in going to and from GWU, not counting side trips. If that isn't numbing enough for you, consider this; by the time I've graduated, I will have covered about 30,000 miles in commuting! Think of that — 30,000 statute miles of staring at the same sights every morning and every evening over three years.

If that's not enough to reconcile you to shelling out astronomical monthly rents to landlords in Foggy Bottom and Georgetown, get this; I waste three hours a day in commuting! Whoever said that you can commute while studying is a dirty rat. In the morning, you get eyestrain from trying to read the microscopic print of casebooks in the Stygian blackness of predawn. In the afternoon, the bus carrying you back shakes so much that you risk Magic-Marking your neighbor instead of your notes. No, you must spend those three hours in some other way. My own way, for those who may be interested, is to read right-wing tracts and daydream about the more attractive of the young women in my section. (Liberals and feminists may address their complaints, poison-pen letters, and bombs to me care of this newspaper.)

I am sorry to have to report to those who seek tales of anguish and despair during the visit of Gloria, the hurricane that wasn't, that I had no problems at all. (And you thought I wasn't going to do anything but bitch, did you?) It didn't slow me down at all; I still made the trip in the regulation 90 minutes. No, it takes the works of man to give me anxiety attacks. One example, and one only; on the 23rd of last month, for some reason which I doubt

I will ever be able to discover, all the roads leading into the Beltway were stricken with an advanced case of arteriosclerosis. The carpool I was in had to go all the way to Seminary Road before we could find an unclotted vessel to enter.

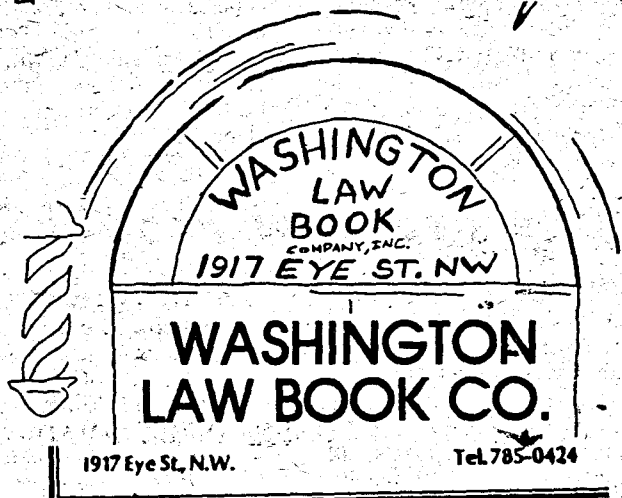
Enough of facts. Let's look at what it's actually like to go those 25 miles in 90 minutes. For the most part, it's actually rather routine. What novelty do you find in the Washington Monument after you've driven by it seventy-five times? You hardly even notice it anymore, since you're too worried about what (if anything) you're going to say when your Contracts professor invites you to expound to the class the doctrine of past consideration. It gets so monotonous that you're actually glad to see someone get arrested at, let's say, the Pentagon bus stop — it lends some excitement.

One thing about commuting is that you eventually get to recognize a lot of people, especially if you (like me) are one of those who have a fanatic sense of scheduling. In my case, this tendency is amplified by the annoying fact that out of every 40 cars, only 3 are going anywhere near GWU on any given day. This means that, for instance, I often get to ride in a carpool driven in a silver Mercedes. This, of course, does wonders in alleviating the psychological aggravations of commuting — after all, how can you get grouchy about commuting if you're tooling about in a luxury car?

You will have noted references to carpooling in the previous paragraph. This is, in fact, my standard means of commuting in the morning; in the afternoon I must rely on the good graces of the regional governments bankrolling the Metro system. Carpooling does have the inestimable advantages of saving physical, psychological and financial strain (this last is especially important for impoverished 1L's), but it simultaneously has the disadvantages of numbing routing and difficulty of finding the appropriate car mentioned above.

Therefore, it will sometimes happen that I take the bull by the horns and do my own morning driving. It can often be difficult to find people going your way (but, not, thank God, as difficult as it is to find drivers going your way), but it's even worse to do the actual driving. In the interest of avoiding scaring readers (and saving valuable newsprint) I will say only that driving in the morning returns all those myriad strains mentioned above that were removed by being driven.

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Clinics from Page 1

The proposal of the clinical staff envisions a tenure program that is not identical, but rather parallel, to the academic tenure program. Clinical staff attorneys are currently hired under one year employment contracts which may be renewed annually. Under the terms of the proposal, these one year employment contracts would be replaced by longer term (three to five year) contract appointments. Alternatively, appointments to a clinical tenure "track" position could lead to full tenure. Promotions from associate to full clinical professorship would be handled separately. Clinical appointments and tenure decisions would be made by the faculty on the basis of criteria analogous to that used to evaluate the academic faculty for such decisions, but modified to reflect the somewhat unique nature of clinical instruction.

The factors currently considered in the tenure and promotion decisionmaking are: effectiveness as a teacher, quality and quantity of other professional writing, quality and quantity of other professional and civic activities, and continuing future competence and effectiveness in the above respects during the balance of the faculty member's teaching career. The proposed modifications contemplate a broadening of the indicia which may be used to assess a clinician's performance in each area. For instance, in the area of professional legal writing, it has been proposed that the concept of scholarship be expanded to include forms of writing other than traditional research and law review publication. Teaching materials, pleadings, theoretical or empirical research, and proposed regulations or legislation are suggested in the status report as appropriate to the inquiry. These constitute more likely sources of professional writing in view of the fact that clinical faculty, unlike academic faculty,

are functionally inhibited from limiting office hours to students or ceasing practice in the summer months due to ongoing cases.

The argument is also made that the clinicians have been foreclosed from participation in the law school community. In return for the right to participate in faculty meetings and votes, to receive student research and clerical assistance, and to take leaves of absence, the proposal indicates a willingness on the part of the clinical faculty to undertake the responsibilities of attendance at academic events, administrative assistance, service on faculty or University committees, and student advising. "To have individuals engaged in instruction at a law school and not to draw upon or demand that they contribute their talents to the institution is a squandering of valuable resources," said one clinician.

The faculty will retreat during the first weekend in November to discuss the provisions of the proposal and to examine the possible effects (advantageous and disadvantageous) of its implementation. At its best, the institution of a long term contract and tenure program could serve to improve the overall clinical program by elevating the status of clinicians, attracting competent attorneys with career-long commitment to the clinical mode of instruction, and affording the clinical faculty the academic freedom acknowledged to be vital to the integrity of an intellectual institution. If, on the other hand, hiring, promotion and tenure decisions are made primarily on paper credentials of a more traditional type, then there is the risk that a law school with demonstrated ability to attract stellar academic faculty will apply criteria in a manner that overlooks the basic differences between clinical and academic faculty.

# Latino Project Faces Uncertain Future

by Cindi Wicktom

One of the most successful and needed programs in the National Law Center's community clinics, the Latino Project, is facing an uncertain future. The Latino Project was designed to extend clinical services to Spanish speaking clients and began in December of 1983 with grant money from the District of Columbia Government.

The major threat to the Project's survival is the lack of funding. During the Project's short history, the grant money has run out twice, most recently in June of 1985. Supervisor Leslie Orloff's contract was not renewed on September 30, despite her offer to work without pay or to fundraise, and the intake of cases for Spanish speaking clients is currently suspended.

The Latino Project's closure is problematic for the Hispanic Community and the students who staff the Project. Rosa Rodriguez-Mera (second year) and Lauralee Romoleroux (third year) have volunteered in the clinic in the past and are currently enrolled for credit. They wanted to work in the Project in order to help the Hispanic community and are very disappointed with its closure. Romoleroux stated that the Latino Project was very successful in meeting the needs of the Hispanic Community and had developed a character of its own within the clinic. Romoleroux believes that despite its success, the Project is not supported by the Law School Administration or the Clinic Directors.

The Hispanic Community is also disappointed with the closure of the Project. The majority of Washington's Hispanic population is El Salvadorian, many of whom are undocumented. If they are undocumented, the generic legal aid programs are unable to take their cases. The resource agencies currently available to the Hispanic Community are Ayuda (immigration, uncontested divorces), Andromedia (mental health, domestic violence), and Adelante (housing). The Project was serving Spanish speaking

clients who could not obtain legal services elsewhere, taking referrals from the agencies and representing clients in contested divorces, landlord tenant disputes, public entitlements cases, and obtaining restraining orders for battered women.

Judith Arandes, the Executive Director of Adelante, stated that the Latino Project has won major victories for the tenants and believes a major factor in the Project's success was Orloff's and the students' ability to work closely with the Hispanic agencies. Arandes stated that the Hispanic Community supports Orloff and the Project, but questions the law school's commitment to the program. Arandes would like to see another institution house and fund the Project so that it may operate on a continuous basis.

In response to the questioning of the Law School's support of the Latino Project, Professor Sirulnik, the Director of the Community Legal Clinics, stated that his commitment to providing services for the Hispanic Community is unwavering. Sirulnik explained that he has reapplied for the grant money, and when it is awarded, an attorney will be hired to replace Orloff and the program will resume. Sirulnik stated that there are ongoing Spanish speaking cases in the clinic and that students work hard on them and do a good job. When asked why the funding has lapsed on two occasions, Sirulnik explained that programs funded by "soft" or grant money often face this problem and that D.C. government's grant cycle does not coincide with the school year. To emphasize the NLC's support of the Hispanic Community Sirulnik said, "Ayuda itself was started by G.W. and has become independent with our help."

The Latino Project, with a dedicated supervisor and students, was successfully helping to meet the needs of Washington D.C.'s Hispanic Community. If the NLC's clinical program cannot support the Latino Project, its future very well may lie elsewhere.

## Clinicians Preview Proposal

by Elizabeth MacGregor

Last week a proposal which would create a new status for the law school's clinical instructors was submitted to the entire academic faculty by the clinical faculty.

In commenting on their proposals, all Community Legal Clinics' (CLC) faculty members stressed the strength of the National Law Center's clinical programs and their reputation as one of the best and most diverse clinical programs in the country. In order to improve the quality of these programs, the clinicians believe that a combined system of clinical tenure and long-term contracts is necessary to attract and keep the best possible clinical faculty. It is hoped that this will result in clinical instructors attaining a status commensurate with their role in the law school.

While the proposal is an improvement upon the current system of one-year contracts for all clinical positions, it is viewed as an interim measure. Peter Aron, director of the Small Business Clinic, suggested that he would eventually like to see all clinical positions tenured, but that the proposed system would be a fair start.

Another issue raised in the proposal is the position of the clinic staff vis-a-vis the general faculty. Instructors in the legal clinics are left out of the administration of the law school. Unlike students, they are not even represented at faculty meetings.

According to David Medine, director of the Consumer HELP Mediation and Litigation Clinics, clinicians are prepared to assume the responsibilities, along with the benefits, of full faculty membership. He said this would include participation in faculty committees, helping to relieve the already overworked faculty of some of their committee-work.

Stephen Del Guidice, director of the Administrative Advocacy Clinic, and Richard Boswell, director of the Immigration Clinic, pointed out that other law schools, including Georgetown, have formulated similar plans and have been quite successful. The argument is that the NLC, with a clinical program of its stature, would desire to provide adequate benefits and job security for its staff.

The proposal will be presented to the entire faculty by the clinicians at a meeting on Friday, October 25. Boswell hopes that the faculty will make a decision on the proposal by the end of the year.

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# The Swellness of Wellness

by Catherine Plambeck

"I am a law student ... and there are many moments when I am simply a mess." Scott Turow, *One L*.  
Sound familiar? Maintaining sanity and physical well-being throughout law school is a difficult, sometimes impossible task. At times we each need help. Numerous services are offered at George Washington University for students' minds and bodies. The problem in the past has been lack of awareness of what is available. To increase student awareness of services available for the mind and body, the university has established the Wellness Fitness Resource Lab Center. This center is an information bank and coordinating body which is attempting to promote wellness on the campus to faculty, students and administrators.

The Wellness Center provides information regarding campus services including counseling and intramurals and will help campus groups with health promotional activities such as fun runs. It also plans several activities and programs that may be unavailable through other campus organizations. For example, the Center will be holding a Smoking Cessation Workshop in November for all those GW smokers that want to "kick the habit." The Wellness Center has also published "Go For It," a brochure which compiles the various services offered on campus. The brochure along with other wellness information is available at the Wellness Center located in Building K, 817 23rd St., N.W. There is also a Wellness Center Hotline number 676-6927.

The driving forces behind the Wellness Resource Center are Dr. Jeanne Snodgrass, professor and chairperson of Human Kinetics and Leisure Studies and Susan Lewis, Research Coordinator for the Wellness Resource Center. Their goal through the Wellness Center is to get students, faculty and administrators to realize their maximum potential for well-being.

## SBA Election Results

by Jim Lochner

On October 10 elections were held for S.B.A. representative for the various first year sections.

Section 11 chose Phillip Crawford. Crawford is from Kennebunk, Maine and studied English at Bates.

The representative for Section 12 will be David Hertz from Albuquerque, New Mexico. Hertz studied Sociology at Tulane University.

Section 13's representative will be a journalism major from Ohio State, Julie Ford.

Elected by Section 14 was Bill Koch. He hails from West Chester, PA. At Duke, Koch was a dual major in Civil Engineering and Public Policy Science.

And the representative for the night-time section, Section 20 will be Nancy A. Schirmer, who attended the University of Iowa. At Iowa, Ms. Schirmer was a dual major, in Economics and German.

## Jacobs' Ladder

# Climbing Above the Apathetic

by Robert D. Jacobs

As I am sure both of the avid readers of *The Advocate* are aware, this is the inaugural climb up Jacobs' Ladder. What is unfortunate is that the editors of this newspaper are not certain that there are many avid readers out there among the maggots, or at least any readers who wish to express an opinion. This scenario provides the fertile ground for our first ascent up Jacobs' Ladder.

Before I launch my surface-to-air missiles (S.A.M.S.) at the apathetic attitude of NLC students, I suppose that three cheers are in order for the first letters to the editor submitted to this newspaper by an NLC student this academic year.

But let us not get too excited. These letters are acts of indiscretion on the part of these students because everyone knows that NLC students are too narrow minded and self-centered to express their opinion on a topic that does not involve some monetary gain for themselves. The little boys and girls of the NLC obviously need some instruction as to spotting issues affecting their lives that need their attention.

**I**nstruction number one: Open your eyes and notice what events are going on around you. One need only look at some of the conditions in the NLC to find an issue that students can sink their teeth into. As far as national and international events are concerned, one can easily stay abreast of these issues by reading a national news publication or watching ABC News' Nightline.

At the NLC, there are numerous issues which affect law students as a whole. For example, there are obvious student parking problems at the NLC. This is especially troublesome for students who work during the day and then must trek to the NLC for evening classes. As these students know, it is virtually impossible to find a place to park at night around the NLC. Yes, we all know that the faculty is provided with parking, but what about the students who pay almost \$10,000 a year in tuition and fees? One point is obvious — if students want a parking facility, they are going to have to push for it. Yet, the do-nothing NLC student body has done absolutely nothing in this regard. This point is a perfect lead into instruction number two.

I suppose at this point many of you have fallen off my ladder, hitting the concrete below. For those of you hardy types who are still hanging on for dear life, let my loosen your grip with another instruction. Instruction number two: Once an issue has been found, the next step is to bring pressure to bear in the proper place as to achieve the desired results. One forum for students to exert their influence is in the letters to the editor section of a newspaper. This can be accomplished in *The Washington Post*, *The New York Times*, *The Advocate*, or any home town newspaper which one deems appropriate to express one's views. This certainly brings the necessary publicity to the issue, which in turn puts pressure on the powers that be to do something about the problem. Obviously, constructive comments may be lodged with those specifically at fault.

Unfortunately, NLC students are a step too slow when it comes to reacting to social issues.

A perfect example of this lack of social awareness in the NLC student body was illustrated earlier this month when other law schools banded together to attack a social structure so disgusting that it might even cause the apathetic NLC student body to raise a collective eye-brow — the policy of apartheid in South Africa. The students at law schools such as Harvard, Yale, and American boycotted those law firms that represented South African clients, when those firms interviewed on campus this term. One firm, even though it denies it felt the pressure from the boycott, dropped a South African airline in response to student efforts at these law schools and others. That firm was the Washington, D.C. law firm of Covington and Burling. It is a sad state of affairs that a Washington, D.C. law school such as the NLC was not involved in these efforts. This example illustrates two points: 1) pressure through social activism can bring about positive results, and 2) NLC students have their heads in the sand, with the slugs and the earthworms.

**T**his South African example also illustrates the third and final instruction on our hike up Jacobs' Ladder: Be persistent in your efforts to implement your idea — simply hammer away at it until your goal is accomplished. The real key is to have a grind it out attitude. Yet, I

realize that you wimps in the student body, who are out of breath and are about to fall off the last rung of this ladder, do not know what it means to work diligently for a cause that does not involve a monetary gain for yourself.

As one examines the NLC student body, there certainly is no reason why students are not more forthcoming with their opinions. While it is acknowledged that first years must concentrate especially hard on their studies, they also must be careful not to burn themselves out 'early in the season,' much in the same fashion as The University of Michigan Wolverine football team is likely to burn out and fold up this year. A perfect way to avoid burn out is to release frustrations by expressing an opinion in *The Advocate* about an important social issue. As for second and third year students, sure they are looking for jobs in addition to their school work. But, this is no reason to lose one's social consciousness.

So, the journey up Jacobs' Ladder is now complete for this issue of *The Advocate*. I realize this climb to a higher social consciousness is making many of you suffer from a nose bleed. Well, I have remedy for that — put your body in a horizontal position. However, the only way to achieve this position from the top rung of this ladder is to jump off. The decision is yours — either toughen up and become more socially aware, or jump off and ease back into a narrow minded existence. Good luck on your landing.



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# Editorial Page

## Protecting the Clinics

The ABA canons in many states mandates that a lawyer devote 10 percent of his time to the public service. Since learning to think like a lawyer is the objective of law schools, reasoning by analogy leads one to the conclusion a part of a student's legal education should be spent in pro-bono activity. Yet how many required credits at the NLC are spent in community service, i.e. clinic related? Much more seriously, the already existing program at the NLC is shrinking with the destruction of the Latino Project. The treatment of clinicians as second class faculty members only adds to the clinics decline.

Clinics' programs are the wave of the future. While serving the community, it is far more relevant to actual lawyering than intellectual classroom pursuits. While we do not recommend that law schools turn into lawyer factories, they should beware lest their already tarnishing ivory towers lapse into insulated intellectual sterility.

## Consider Your Choices

Only as a shining example of the worst motives of mankind is the government of South Africa worthy of discussion. That government's overt racism and oppressive tactics distress civilized persons the world over. Still petrified of what may result should any basic human rights be granted its black majority, South Africa clings to apartheid the way a cancer patient might embrace an artificial, life preserving machine. Apartheid will not save the political body but continuing it will help South Africa delay something it fears greatly — political power held by a population that has been oppressed for years.

It is common knowledge that South Africa embraces the oppression of a majority of its population as a way of life. It is unfortunate that similar knowledge is not held by law students of what law firms have South African industries as clients — industries which benefit through apartheid and promote its continuation. In a tight market for lawyers, it is naive to ask that individuals choose not to work for law firms which have South African clients, on that basis alone. America's record of race

As is the case with any university program to be viable, the clinical faculty must have the security to fully implement their ideas. Without the possibility of attaining a tenured position, it will be difficult to attract and retain the most qualified people. We urge the NLC to comply with the spirit of ABA Standard for Approval of Law Schools, Standard 405(e). There must be a serious effort by the administration to resolve the disparity in treatment between traditional and clinical members of the faculty. If the NLC truly wishes to attain a secure place among the elite in providing legal education, and wishes to become a source for socially minded attorneys, as well, the clinical programs must be revitalized, emphasized, and made secure, so as the NLC Bulletin states, the University may maintain programs oriented towards "the needs of the poor, the elderly, and the consumer."

relations is less than sterling, and it is possible that one could work for a firm with an entirely American clientele which would offend one's sense of ethics.

It is not naive, however, and we think it must be encouraged that one at least consider the clients one might be exposed to should one choose to work at a particular firm. On that note, we applaud those schools whose students put pressure on Covington & Burling to drop a South African client. We think it imperative that one consider more than a firm's location, the amount of money it offers and the chances of making partner, before accepting an offer of employment. One must weigh liabilities, moral as well as monetary, before accepting any offer. To not do the former, to ignore whom a law firm may service could lead one to having to defend the most noxious of institutions. To one's surprise, one might have to accept as a condition of employment defending the interests of industries which think nothing of having South African police bash the heads and dash the hopes of those who make the most basic of requests; to have the same rights as all others in that country.

## Put in New Pay Phones

The Advocate is heartened that the "powers that be" have removed the 3 phones that were located in the middle of the library's reading room on the 2d floor. Now students do not have to choose between talking in a voice loud enough to allow both the listener and anyone in the area to hear or in a voice so low that nobody can hear what is being said. But, having taken those phones out of the library, can anyone explain why the pay phones were not reinstalled anywhere else in the NLC? It may be difficult, but surely it is not impossible to find a spot which would be convenient to place the much needed phones. How about in or near one of

the student lounges on the first floor?

It may be real tricky to get the video machines in the classrooms to work so they are effective for showing videos. Perhaps it is next to impossible to get the door alarms to go off in any other than a wholly random manner. It defies imagination however, to explain why it has not been possible to install more than 2 pay phones for this school's 1500-plus potential callers. We would loudly applaud resolution of this matter. Until that day comes, if it does, the feeling will continue to grow that in fact, the NLC is only "America's most technically incompetent law school."

## Prosecuting the Innocent

by Michael Goldsmith

Nothing offends a right minded citizen more than the prosecution of an innocent. Not to worry, since the police hardly ever make mistakes, according to the nation's highest law enforcement official. Attorney General Edwin Meese III said in an interview last week that "you don't have many criminal suspects who are innocent of a crime," and that suspects should not have the right to have a lawyer present when police question them.

Before the nation is further prodded into the reactionary abyss by the Attorney General, let me relate to you an incident in words more eloquent than anything I could express. In Staten Island, N.Y. a 17-year-old high school senior was falsely arrested and charged with the stabbing of another student during a late night subway robbery attempt. Needless to say he did not commit the felony. Following are excerpts of a letter written by his father to the local newspaper, the police, and the D.A.'s office describing the frustrations and anger of a father who couldn't legally protect his family from a terrible ordeal.

"A student walks into a classroom with the Dean, shakes his head yes, and my son is arrested, treated as guilty, brought through the halls of the school in handcuffs, psychologically humiliated in front of his friends and teachers, and forced to spend a night in jail for a crime he did not commit."

The charges stemmed from an assault that took place when the accused who was never in any trouble with the law, was home in bed. The letter continued, "Are the assistant D.A.'s out for justice, or are they just out to prosecute?" The prosecutor advised the father "You had better make sure that he has witnesses other than his parents." "Did the D.A. want my family and I to perjure ourselves and say "yes we have other witnesses?"

The local newspaper got ahold of the arresting report, and printed it with the names and addresses of the parties.

To sum up the aftermath, the grand jury, the citizens' check on public prosecutions, eventually threw out the indictment. It was implied that the

complaining witness was involved in a drug deal which turned bad, got himself cut, and filed a false police report to cover himself. The police report also revealed that the complaining witness described the attacker as having a mustache while the accused never did. Why the D.A. did not dismiss the case long ago defied explanation. The accused student was forced to miss the last three months of school because the principal sent him an emergency telegram that he should stay home for the remainder of his high school career for his own safety.

Despite his absence, the youth received an education. According to his father, "I learned that authority does not always mean right. He learned that the Constitution of this country is being abused by our law makers. I do not think our D.A. believe in the Constitution of the United States, after what my family and I have gone through (I believe that) neither do our school system, police department, our newspapers. Why? Because every one of these (institutions) stamps you guilty until proven innocent." Actually, this is quite understandable since the Attorney General is of the same sentiments.

As law students, many of us will go into criminal law, and we may very well get to the point of over-saturation where we become feelingless robots programmed to do what we are told. It may be unavoidable for reasons inherent in the criminal justice system. However, the subversion of our basic fundamental rights should not be made easy. Let's deal with on the job burn out in a constructive way. Let's also recognize and deal with Meese as the reactionary anomaly that is.

A get tough policy on crime is long overdue. Focusing on the victim's rights should be emphasized. However, the letter concludes in this case, "Who was the victim? My son who was ridiculed by teachers. My son whose parents spent months, day and night worrying what the outcome would be. My son who was denied what should have been the happiest semester of his life. His parents who spent \$5,000 in attorneys fees to vindicate the son's complete innocence. Who was the victim?"

The Advocate Vol. 16, No. 3  
October 21, 1985

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The Advocate is published by the law students of the National Law Center at George Washington University. Its offices are located in R301B Burns Library, 2013 G Street, N.W., Washington, D.C. 20052. Telephone 677-3325.

The opinions expressed herein are those of the authors, and do not necessarily represent those of The Advocate, the National Law Center, or George Washington University.

The Advocate will consider for publication all articles, letters and cartoons submitted. Letters must be signed to be considered.

# Student Forum

## TO THE EDITOR:

Was I disappointed in Daniel Schorr's recent speech entitled "The Press Under Attack!"

First of all, the speech did not focus on the "press," which is the print media, but centered exclusively on television.

Second, Schorr merely echoed the criticisms many people have already launched against television for its coverage of terrorism in the Middle East. Schorr, a noted print and broadcast reporter, had nothing to add to the standard gripes nor any suggestions for change. Basically Schorr said television was not just an observer of the kidnappings and hijackings of Americans, but the reason for which the actions are taken. He blamed television for the terrorism.

The terrorist acts are done for numerous reasons, but primarily because the U.S. is a strong supporter of Israel. The media coverage of the terrorist acts serves a useful purpose. It puts pressure on the U.S. government to deal with the situation, to take action to save American lives. Compare the relatively quick resolution of the TWA hijacking which was covered morning, noon and night by the media, and the still unknown plight of a handful of hostages who have been held for more than a year. When the TWA flight was hijacked, the predicament of six individual hostages was practically unknown to most Americans. The media coverage of the TWA hijacking brought their situations to light. Since the release of the TWA passengers, one of the six has been released and a second is supposedly dead. Today, the four remaining hostages are ignored by the media and therefore the U.S. government.

Kathleen O'Reilly

## TO THE EDITOR:

The worst type of arguments are those which ramble on, stereotyping anyone or anything for the sake of proving a point. I believe this to be the essence of Mr. Brothers' article on yuppies, in the October 7, 1985 edition of *The Advocate*. However, the problem with Mr. Brothers' effort is that he never proves a point. His article spews out insults, collecting all those things he dislikes and attributing them to a negative definition of yuppies.

Consider Mr. Brothers' generalizations: anyone who is born to the baby boom generation, working for IBM, and a malcontent supporting Gary Hart, is a yuppie. Also, anyone who supported Mondale is in a union or is a member of a special interest group, and anyone who voted for Jackson is black. Mr. Brothers also said that those who supported Reagan are "satisfied with their lives, could think and had money." Nice analysis of the 1984 election, Ken.

Looking further, we find even more obnoxious labels from Mr. Brothers. For instance, he said that protestors of the sixties are "dreamers creating a movement out of nothing but wishful thinking," and the television media are a bunch of "(g)ee whiz boys who tell us about their views of the world and call it nightly news."

I ask, what is the point? Why insult these highly regarded social institutions without drawing any conclusions? I have no an-

swer, except to suggest that shallow analysis breeds shallow writing.

I recommend to Mr. Brothers that in his future analysis of the yuppie movement, he look to more significant social issues introduced by this group. For example, are the values of the young, affluent members of our society dominated by the desire to accumulate material wealth? Do

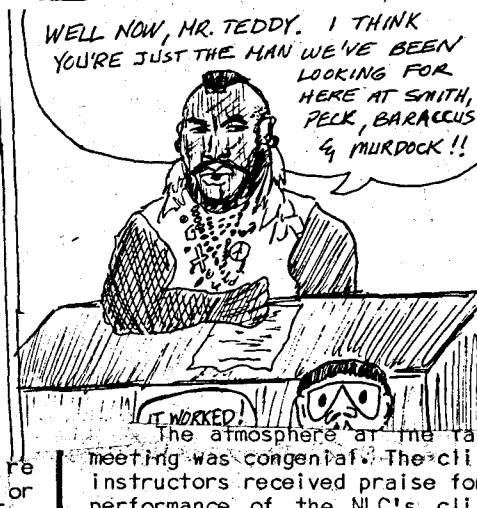
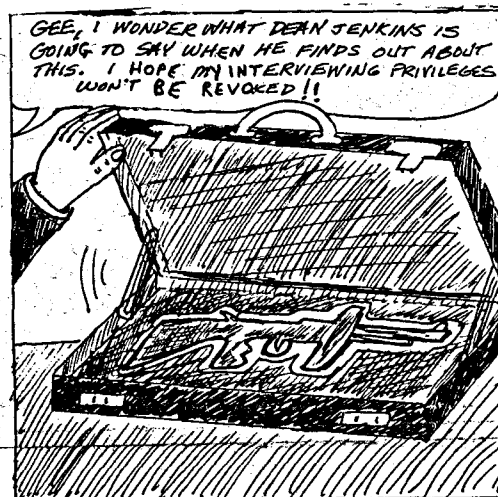
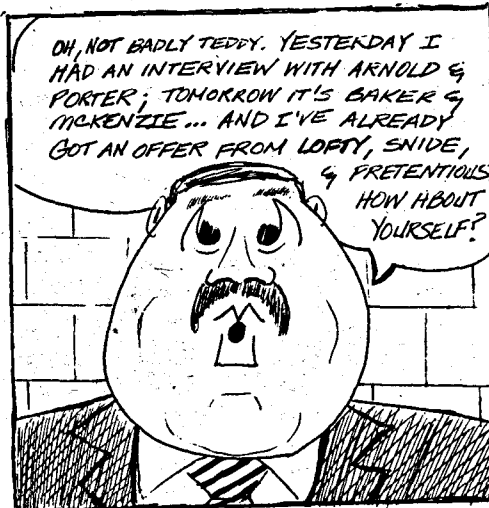
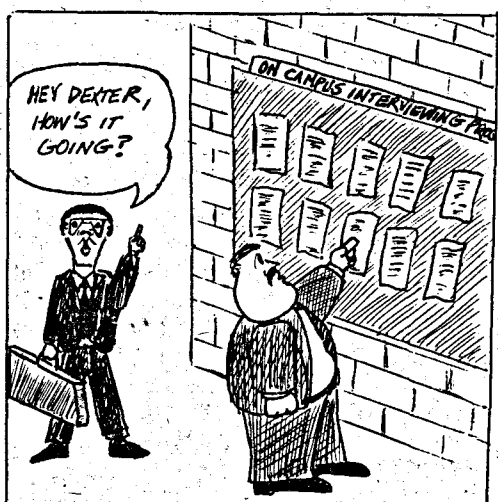
recent findings suggest that young professionals seek social status through use of cocaine? Are they an example of controlled users or merely abusers?

These questions merit discussion. The consideration of such issues could result in an insightful analysis useful to the law school community — a goal Mr. Brothers

should strive for with his next attempt in *The Advocate*.

Brian W. La Corte

(Editor's note: Mr. La Corte will defend the interests of yuppies and other suspect interests in future issues. Look for his forthcoming column.)



# Summing Up the S

So Ronald Reagan and Mikhail Gorbachev are going to have a meeting in November. Big deal. Judging by all the attention the media has been allocating to the topic, an average off-planet visitor might get the impression that the meeting is important. It's too bad that such an opinion is sheer nonsense. The summit will come, the summit will go, and things will still be the same.

## IPSE DIXIT

by Ken Brothers

There are some idealists who maintain that the superpowers should be constantly working toward eliminating nuclear weapons from the world. They claim that through arms limitations treaties, detente, and unilateral restraint we will make ourselves safe from the all-too-human tendency to kill each other. Following this line of reasoning, after we eliminate nuclear weapons, we could start in on conventional weapons: first to go would be the huge ships and subs, then the long-range bombers, followed by the fighters and reconnaissance planes. Of course, the land-base weapons delivery systems would be eliminated, which should include all kinds of personnel carriers. Last to disappear due to treaty terms would be rifles, knives, brass knuckles, clubs made

out of tree trunks and any kind of rock that could be used to hurt another human. With a little patience, we could negotiate ourselves into neolithic non-violence.

Obviously, it is absurd to expect that science unthink the formula of the atomic bomb. Nuclear technology, like most concepts with any merit, is a two-edged sword: it cuts one way by promising a huge potential of clean energy; it cuts the other by threatening world destruction. Like most issues in law, it is a question of balance.

As a democratic state, we have assigned certain individuals the responsibilities of maintaining that balance. Nuclear questions are by definition political questions. Unfortunately, some politicians have become obsessed with eliminating the whole issue instead of accepting the permanent presence of atomic knowledge. Such a denial of obvious responsibility only begs the question and creates inane obstacles for those responsible enough to tackle the challenges in a reasonable manner.

The question-beggars have nearly succeeded in eliminating the peaceful application of atomic knowledge by legislating the industry to death. Overregulation was a proximate cause of the WHUUPS default in the state of Washington, and has caused senseless delays in the starting-up of the undamaged TMI units. Fortunately, the storm seems to be lifting for the nuclear power industry,

The atmosphere at the faculty meeting was congenial. The clinical instructors received praise for the performance of the NLC's clinics, which are humming on the energy of eight instructors and more than 100 students. But whether the clinicians can parley the good will into approval for their proposals is another matter.

Dean Jerome A. Barron laid out the agenda for making a decision on the clinical faculty's proposals this way: "First we'll decide what we like and then we'll decide what we can afford."

Barron said ultimately the faculty could decide on a combination of tenure, and long-term and short-term contracts for clinical teaching positions.

But the first hurdle the clinicians face is convincing the faculty that creating any tenured clinical position would help the quality of the educational program.

Clinician Richard Boswell, who was the point man for visitors' presentation, told the faculty that creating tenured clinical positions will "improve the quality of education imparted to students." He noted that the American Bar Association, in its standards of accreditation, recommends that clinical faculty should have status and responsibilities similar to those of academic faculty.

Professor Ralph Nash questioned the assumption that tenuring clinical faculty members would improve the quality of education. "Is it possible that the best clinical program is one where everybody is not tenured?" Nash asked. He said it might be possible that the clinics benefit by transfusions of "new blood."

Nash asked the clinicians whether they considered what they are doing a career.

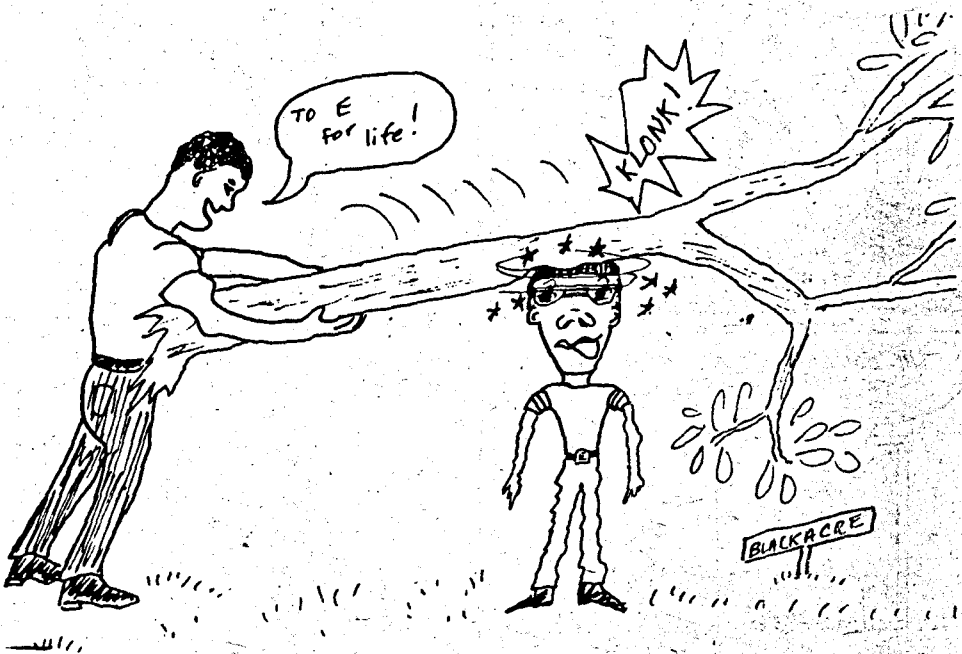


# The Devil's Advocate

## The Great NLC Doodle Off

This award is for The Most Informational Doodle. This was a prime example from the Golden Age of Doodling. The beauty of this doodle is that it is art imitating nature. The complexities of man-made law is rendered perfectly clear in this idealized rendition representing a movement back to naturalism in doodling. The omitted notes originally attached to this canvas stated the following: "Livery

of Seisen" In feudal times, transfer of land (freehold estates) had to be accompanied by livery of seisen. Livery was a symbolic ceremony in which the transferor gave to the transferee some part of the land itself. "E", the transferee, was then said to be 'seised' of the estate which had been transferred to him, and thus acquired legal possession.



Literally Reading Livery of Seisen

The clear champion in the category of Doodler Most Under the Influence Of A Controlled Substance is a student who created this period classic in her Section 12 legal research class. This piece is an

idealized representation of the Caffeine Movement in doodling. The complete symbolism and the apparent randomness in the design are indicative of the energy level that the artist must maintain to remain conscious.



An Example of Surrealistic Doodling

As with the Academy Awards, the most prestigious award is reserved until the finale. The winner of the Life Time Award For Excellence in Doodling, and the Derek Bok "What are You Wasting Your Time In Law School" Award goes to an anonymous night student. "This major work was done

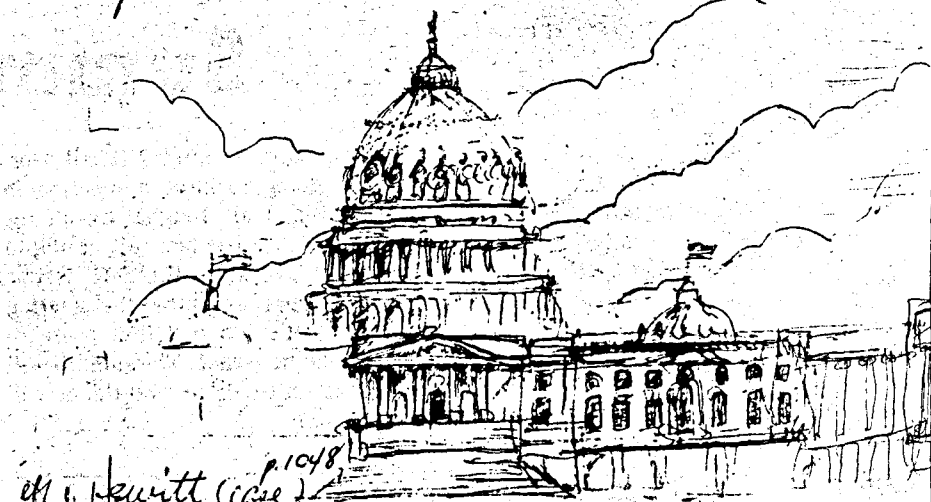
in the Jim Brown Property period. The atmosphere of the class friendly and relaxed, and this is reflected in the optimism in the literal rendering. The excellence of the work speaks for itself. Congratulations to the professors, the NLC for making the atmosphere ri

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*Whether justice is chattered mixture of law + fact*



*eff. v. Hewitt (case) p. 1048  
3 steps*

*1) actual annexation to reality or appearance to*

A Capitol Doodle

## Tennis Tourney Turns Up Talent

by Robert D. Jacobs

The Advocate First Annual Fall Tennis Classic is now approaching its conclusion. The finals in all events have been tentatively set for the period of October 18-23. The tournament has served as an activity for students to meet one another outside the law school environment.

Thus far, several students have turned in outstanding performances in the tournament. In the women's events, Mary Beth Maloney and Plermchit Chulareck have been especially impressive — they are the finalists in the women's singles event, and both are advancing well in mixed doubles. In the men's events, there

are numerous students who have played well. Among those who have played with excellence are Brett Levine, Bob Haas, Mark Sampson, Robert 'Moose' Cobb, Bob Deitz, Dan Markowitz, Tom Kyzivat, Keith Sampson, Michael Kazamias, and Jay Tuckerman.

The tournament has been played at locations throughout the metropolitan area, with The Advocate supplying the tennis balls for each match. Awards will be given to winners in each event. For those students and faculty members now kicking themselves for not entering this fall tennis event, there may be another tournament held in the spring.



Steve Ruchefsky Serving in A Tennis Tourney.