1998

Vol. 48, No. 10, April 23, 1998

University of Michigan Law School

The Res Gestae

Vol. 48 No. 10 | The University of Michigan Law School | April 23, 1998

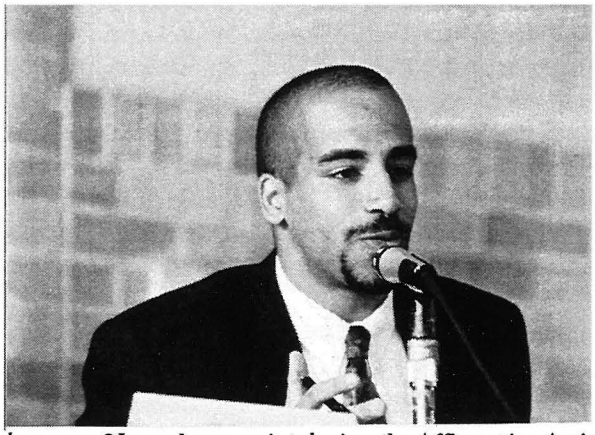

Photo by R.M. Lee

Francois Nabwangu, 2L, makes a point during the Affirmative Action debate

Student Debate Explores Affirmative Action

By Kris Lenart
RG Editor-in-Chief

Everyone agrees that we all need to "talk" about affirmative action, but on Wednesday, April 8th, six student panelists put their money where their mouths are and debated various issues related to affirmative action. The debate was sponsored by the Student Affirmative Action Counsel (SAAC). Of the six students participating in the panel the three representing the anti-affirmative action viewpoint were Allen Graves (2L), Eric Moutz (1L), and Wayne Song (3L). The three students arguing for affirmative action were Tracy Gonos, Francois Nabwangu (2L), and Randi Vickers (2L).

The debate was divided into two halves, with the first half consisting of the three faculty participants, Professors Terrence Sandalow, Deborah Malamud, and Sallyanne Payton, posing questions to the student panel. The side to whom the question was directed was given three minutes to respond, and the other side was given one minute for rebuttal. In the second half of the debate, the panelists gave one-minute responses and one-minute rebuttals to questions submitted by the audi-

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$500 for Brian Simpson? Are you serious?

By Lisa Dresner
RG Contributing Editor

An Alaskan salmon dinner, a day at the Toledo water slide, a Cambodian statue of the soldier Garuda — all these items and more were auctioned off at the annual Student Funded Fellowships Auction on Thursday, April 2nd. The witty volunteer auctioneers — Dean Jeffrey Lehman and Professors Andrea Lyon, Nick Rine, Sam Gross, John Beckerman, and Sherman Clark — kept the high-spirited crowd of students, faculty, and staff laughing as they auctioned off items that ranged from sporty to sumptuous to strange to downright silly.

Sports-related items were the biggest moneymakers for the auction. The item that went for the most money this year was tickets to the Bulls' second-to-last home game of the season ($860). Other big-ticket items included a limited-edition Michigan 1997 Big Ten Champions football, signed by Lloyd Carr ($600) and "the opportunity to humiliate a substantial per-

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What's Next for Career Services?

NYU Career Office Serves as Model of Personal Service and Staffing

By Sanjeev Date
RG Contributing Editor

The recent vacancy of the office of Director of Career Services leaves unanswered questions as to the character of next year's OCS. While the administration searches for a new director and new direction for the office, one source of new ideas for our office is the direction that other, more successful Career Services Offices have taken. The New York University Office of Career Counseling and Placement is one of many in the nation that could provide such ideas. Based on personal testimonials, published reports, and employment statistics, the RG decided to contact NYU to learn more about their placement efforts. NYU's placement success is extraordinary; the class of '96 had zero students (and 3 of unknown status) unemployed

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Career Services

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nine-months after graduation, compared to Michigan's 22 students unemployed (and 13 of unknown status). Such good employment stats are not accidental; rather, NYU's innovative programming is abundant with ideas that Michigan would be well served to consider implementing.

Personal Service

NYU Law School provides students with many services that may be lacking here at Michigan; services that focus on personal interaction between the administration and students. Irene Dorzback, the Assistant Dean of the Office of Career Planning and Placement at NYU, said that NYU career counselors have extensive personal contact with a large percentage of students; from first years entering law school to third year students who are having problems finding employment. "Before the interviewing process, students are given individualized counseling and advice regarding their on-campus interviewing selections," said Dorzback. "Based on their previous work experience, academic performance, their overall career goals, and the type and size of firm in which they wish to work, we advise them on how to tailor their on-campus interview search in a way that best serves their needs."

More significantly, 2Ls having trouble getting callbacks are given considerable assistance in evaluating their interview problems. "If 2Ls are having trouble, we meet with them to identify their difficulties. In most cases, these meetings are effective for this purpose; but in some cases, it's not easy to assess a particular student's difficulty. In these cases. I'll call five law firms with whom the student had particularly good interviews, and ask the interviewer why the student didn't get a callback. This helps to diagnose the student's weaknesses." Dorzback added, "We usually conduct mock interviews at this point, with the student focusing on improving those weaknesses that hurt her in her previous on-campus interviews."

3Ls get possibly the most personalized attention at NYU. Said Dorzback, "Once Spring rolls around and some 3Ls don't have jobs, we call them and set up fairly regular appointments. These appointments are effective; people who stay in this process are more likely to get jobs by graduation than those who drop out of this process." Personal interaction isn't limited to interviewing help, added Dorzback. "We'll make calls to firms to ascertain whether they still have openings. If they do, we use a resume referral service to provide the student's resume to the firm."

Off-Campus Programming

In addition to on-campus services, NYU conducts off-campus services for students as well. In addition to various national consortia, NYU counselors are heavily involved in off-campus "job development" meetings. Ms. Dorzback described the development meetings as beneficial in several ways: "First, these meetings may increase the number of firms that come to campus and list job openings. Also, depending on the time of the year, counselors can pitch a group of students to employers. For example, in Spring job development trips, we can pitch the whole group of students that are interested in that particular geographic area but have not yet obtained employment." Dorzback added, "As with all networking, these development trips give the career counselors a group of lawyers that are contacts for the future." Last, development trips can serve to educate law firms as to the quality of the school's students. Said Dorzback, "Sometimes firms won't go deep into the class and pick people with poor grades. Career counselors can help this situation by plugging the quality of the entire student body, and by encouraging firms to recognize the qualities of students other than just academics."

Abundant Staffing

NYU's Career Planning and Placement staff is considerably larger than Michigan's. All told, NYU has 12 career counselors, 8 on the private side and 4 on the public side. Compare this with Michigan's staff; 3 on the private side (including a director) and 2 more on the public side. Despite NYU's larger class size, it has a counselor to student ratio nearly double that of Michigan's.

It is this disparity in numbers of counselors that partly explains the employment disparity between Michigan and NYU. Said Dorzback, "When counselors are needed for an off-campus consortium, and for other development-related activities, those people are not on campus to service the students. Having a large staff is important so when we conduct these types of activities, there is still adequate staff at the school to provide personal service." A large staff is beneficial for on-campus services as well. Dorzback added, "The larger the number of services provided, the more staff you may need to provide those services. From getting into contact with students to determine their employment status, to making calls to law firms, a large staff makes certain we have enough capacity to provide extensive services to all students that need them."

While a change in leadership of the office of OCS may be a step in improving the placement statistics and career services at this law school, it is likely that some profound changes in the office might be in order. Emphasis on personal service, amicable relations between the OCS and students, and abundant resources are what have made NYU's career office one of the best in the country; failure to achieve these goals has made Michigan's one of the most underachieving. The NYU model is but one of several ways to approach Michigan's weaknesses; and while it is not the only possible way of reforming OCS, it may be productive to learn from the experience and success of other institutions that have come before us.

See page 8 for a message from Dean Lehman regarding the future of the Office of Career Services.

Supremely Decent: The Court Tackles the NEA

"Why not just say no crucifixes in urine?"—Justice Anton Scalia

By Larry Sager
RG Contributing Editor

NATIONAL ENDOWMENT FOR THE ARTS, ET AL. V. KAREN FINLEY, ET AL.

The question presented: Whether the statutory direction that the NEA chairperson "take into consideration general standards of decency and respect for the diverse beliefs and values of the American public" is constitutional under the First Amendment and the Due Process Clause of the Fifth Amendment.

The National Endowment for the Arts grants monies enabling groups and individuals to undertake projects related to the arts. The procedure considers artistic merit and excellence. In 1989, controversy heightened with news that "homoerotic" photographer Robert Mapplethorpe and Adres Serrano (creator of "Piss Christ") received NEA funds. In 1990, Congress enacted the statute directing the NEA consider "general standards of decency" when determining grants.

Arriving to the Court at 9:30 a.m., I checked my belongings at the Marshall's office and proceeded through two security checks. "We're gonna have a jam session," commented a security guard as I crossed the metal-detector's threshhold. "The guests are coming in." Sting, Marilyn Manson, Sinead O'Connor, and the beloved Kenny G. were not in attendance. However, Willem Dafoe sat across from me, probably interested in the drugs and firearms case, *Sillasse Bryan v. United States* scheduled for argument after *NEA v. Finley*.

This time my reserved second-section front row seat behind the attorneys, newly admitted bar members, and invites, afforded a much better view. The Justices' expressions seemed clearer, more defined. Justice **O'Connor** appeared severe, bitter, even frustrated—obviously unrelated to the Court's course and direction during her tenure. Justice **Thomas**' panic driven animosity evoked sympathy. Unlikely that Justice Scalia will surrender his day job, he played the capacity crowd for billows of laughs several times during the morning, mainly at the expense of one attorney or the other.

Although initially denied grants, the artists suing eventually received grants. Justices **Ginsburg** and **Kennedy** questioned whether they had suffered any injury at all. Justice **Rehnquist** questioned their standing. "People just can't walk off the street and make a facial challenge." He scolded the government for its failure to seek a stay when the provision was originally struck down in1992. In November of 1996, the Ninth Circuit ruled the statute "gives rise to the danger of arbitrary and discriminatory application" which will depend upon "whether that official agrees with the artist's point of view."

The decency clause has not violated any artist's right of expression, argued Solicitor General Seth Waxman. "We don't think there is any constitutional problem here." On the contrary, Georgetown University professor David Cole advocating for the plaintiffs/appellees described the "chilling effect" of the statute. His hand visibly shook from nervousness.

Justice **Stevens** asked whether the government can't finance campaigns to "Just say no to drugs." On the other hand, **Stevens** questioned whether the statute would prevent Serrano from receiving a grant. "You will have a hard time convincing me this law has no effect." Justice **Scalia** seemed to ridicule the statute as unnecessary: "I thought the government doesn't have to buy Mapplethorpe, it doesn't have to fund Mapplethorpe." Justice **Kennedy** characterized those saying the law is meaningless as using a "wink-wink, nudge-nudge . . . everybody knows what it means." Justice **O'Connor** did not necessarily agree. "I'm not sure decency or respect or diversity is viewpoint-based," she commented. Justice **Ginsburg** interpreted the statute to say "don't fund Serrano or Robert Mapplethorpe."

"I don't know what decency is," said Justice **Breyer**. "No work of art that is good would be indecent." He attempted coaxing Cole to distinguish how decency is more vague than artistic excellence when judging art, and whether the NEA would be obligated to support art created by white supremacists. Cole stumbled, appearing to suffer a bout of commitment phobia.

Looking bored as ever, Justice **Thomas** exhibited a preference for studying the ceiling. Nevertheless, he formulated a question during oral argument, making a noticeably grand hand gesture . . . to one of the court assistants. He had run out of coffee. Handing off his mug, he appeared to give lengthy and detailed instructions on preparing and refilling it. My friend accompanying me to the court for her first time was outraged with Justice **Thomas**' non-participation. "I'm going to write him a letter."

It is doubtful the Justices will declare the statute unconstitutional. As Justice **O'Connor** argued, the Court will likely determine Congress has discretion to set conditions when granting limited funds for the arts. And what will the next President Jesse Helms-clone evoke from this statute? Gut-feeling: ugliness.

Justice **Rehnquist** thanked Mr. Cole in mid-sentence, and immediately called the second case. The question presented: whether a conviction for willfully violating a federal statute prohibiting dealing firearms without a federal licensed, requires the jury to find the offender knew of the federal licensing requirement. Also at issue: whether the district court erred by refusing to give petitioner's proposed jury charges regarding the credibility of an accomplice-witness.

A New York lawyer stood up and very loudly, began to make his argument. **Rehnquist** told him not to talk so loud, "the room is not that big." The attorney paused, and then continued at the same volume. The attorneys spent considerable time attempting to distinguish the difference between "knowingly" and "willingly." Professor **Westen** would have done a much better job, and unfortunately, no one referred to the **Model Penal Code** for guidance and clarification.

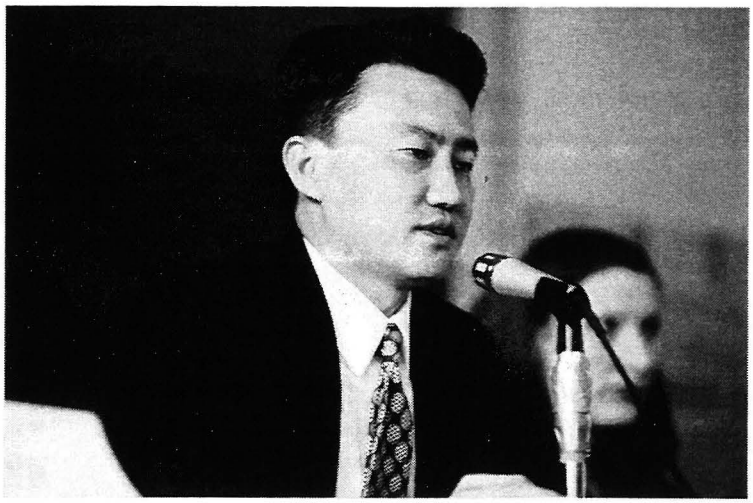

Photo by R.M. Lee

Wayne Song (3L) argued that alternatives to current Affirmative Action programs should be seriously considered.

Affirmative Action

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ence. The time limit of responses in both halves of the debate were strictly enforced by the organizers so that the number of questions discussed could be maximized.

Mr. Ellis stated that although he felt some frustration with the "nature of the forum" he created for the debate, his "main goal was not to elicit the most brilliant or sophisticated legal arguments, but rather to facilitate the creation of an environment of intellectual tolerance." The faculty and student participants seemed to share Mr. Ellis's frustration with the format, although they also shared his feeling that dialogue on this issue is crucial, regardless of the forum. Professor Malamud stated that when first approached with the idea, she was somewhat skeptical about "whether debate formats really can lead to the kind of truly listening discourse that [Mr. Ellis] was aiming at." "The problem with debates," she stated, "is that the opinions in between are the ones not represented." Of course, she added, "one hopes that the people in between are in the audience."

Mr. Moutz felt that within the format of the debate, there was "just not enough time" to "engage in a 'meaningful dialogue'" or "persuade the audience" of a particular point, and he stated that for future events he "would prefer a more confrontational format." Ms. Vickers stated that because the format did not allow for follow-up questions, each side was able to "engage in some evasions." "That said," she continued, "the format enabled a broader range of questions to be addressed."

As could be expected, much of the debate consisted of both sides making the common arguments for and against affirmative action. However, the panelists presented their arguments in a strikingly eloquent, civil manner. Mr. Nabwangu argued that the "compelling governmental purpose" justifying the use of affirmative action policies is "diversity." Diversity is key in an educational setting, according to Mr. Nabwangu, because it provides access to "resources that haven't been touched before" and to "cultural and intellectual critiques by groups and communities that haven't been addressed." "Part of affirmative action," said Mr. Nabwangu, "is to preserve that cultural and intellectual critique of a dominant culture."

Mr. Graves argued that much of the issue is actually in defining the term "diversity." "A lot of this debate turns around whether or not we believe that skin-toned based preferences really deliver ideological diversity," said Mr. Graves. Despite the law school's affirmative action policies, Mr. Graves stated his belief that "our school has an ideological diversity crisis; we are tragically homogenous in our political views." He supported this statement with the fact that the organizers of the debate had to actively solicit students to argue the anti-affirmative action side, since no one volunteered. Mr. Song later made a similar point, stating that "if colleges truly want diversity, they should overadmit those whose viewpoints are truly underrepresented, such as libertarians, or anarchists or true Marxists perhaps." This is not currently achieved, he believes, since "the use of race to choose students in and of itself simply achieves a student body that looks different."

Several questions addressed the issue of what, if anything, we are using race as a proxy for in affirmative action. Neither side was willing to commit to the correlation of skin tone preferences to ideological diversity or even socio-economic diversity, although everyone seemed to agree that diversity in these areas is desirable. The pro-affirmative action students argued that the goal is to include students who have had the experience of being discriminated against, and for this there is no adequate substitute for skin tone preferences. Ms. Gonos stated that "socio-economic status is not an effective proxy for race. It does not make up for experiential differences." Similarly, Ms. Vickers stated that "the real issue is subordination, and that's what we're trying to address."

Mr. Moutz agreed with his opponents that skin tone serves as a better proxy for diversity of experience than of ideas, but he felt that affirmative action was not the best method to achieve this. "We shouldn't assume when we're making admissions decisions that all individuals of a certain skin tone have different ideas and different experiences which are going to be beneficial to the academic environment," he said. "If we're after that kind of diversity, the proper way to achieve it is to ask, 'What are your ideas?' 'Tell us about your political philosophy, tell us what you think about society, tell us what you've experienced.' Eliminate the race box, and give people another chance to express themselves about how they view the world." "It should be a goal of our society to emphasize a common humanity of all persons," he stated, "rather than by dividing us by an arbitrary standard of skin color."

As far as discriminating against equally or more qualified white students, Ms. Vickers argued that since our system of defining "merit" is biased against minorities such that test scores and coursework grades do not have equal meaning when applied to minorities and whites. "The white person's effort was more efficiently used by the system," she said, arguing that barriers exist for minorities which do not exist for whites. She believes "it is harder [for minorities] to find a mentor," and more difficult for minorities to get letters of recommendation since

there are less professors they feel comfortable enough with to develop relationships. "The white person's efforts get them better rewards because the system is rigged for them. The professor is more comfortable dealing with them," she said. "The same efforts by a female or an underrepresented minority will not get you the same results."

On the issue of stigma allegedly caused by affirmative action programs, Ms. Gonos thought it would be less of an issue if people would recognize that at least at this school, the facts do not support any such conclusion. She found it "hard to believe that students at this school could look around and say that incompetent students of color are being admitted to the detriment competent whites when the bar passage rates and graduation rates simply don't bear that out." On the contrary, she felt that "it may be more stigmatic if affirmative action were abolished and numbers of minority applicants suddenly decreased."

Mr. Song addressed the need for alternatives to current affirmative action programs, since he believes that "affirmative action tries to address the problem at the back end of the situation." "I would more encourage getting to the goals of achieving true racial equality and equality of opportunity by putting the effort up front," he said, "by programs such as Head Start and by putting more money into our school districts."

Asked later about her own personal beliefs regarding affirmative action, Professor Payton responded that she thinks that "race" is a "hierarchical classificatory system for human beings that has been enforced by a vast regulatory apparatus, formal and informal, in order to produce a hierarchical social order." It is the "actual, practical workings of the racialized social hierarchy that makes the members of the different 'races,' as socially defined, the possessors of various resources held in network relationships." Our goal as an educational institution, according to Professor Payton, should be to provide an environment in which diversity brings together these resources and where "people from diverse backgrounds acquire knowledge from one another and can talk to one another about legal and social problems in a common language."

Since "people on different sides of a 'racial' boundary have systematically different experiences and consequently tend to develop different ideas," she believes the law school affirmative action policy should (and does) look "favorably on applications from persons who have functioned successfully in networks that consist mainly of persons of other 'races.'" "It does not," she wrote, "privilege anyone on the ground of 'race' alone but rather privileges persons of any 'race' who have a taste for trans-racial experience." "The advantage of this approach," according to Professor Payton, "is that the possibility of deploying it diminishes as the need for it diminishes: at the point at which it is difficult to find applicants who have not had significant trans-racial experience it would be meaningless to privilege those who have had them. The solution would not outlive the problem."

The faculty and student participants gave various reasons for taking part in the event. Ms. Vickers's goal for the debate was to "provide coherent answers to the ahrder questions about affirmative action." Mr. Song wanted to participate because of his feeling that at many school-sponsored events, the speakers "tend to reflect and repeat the administration's own position," and because "there is a tendency at most top law schools to 'chill' conservative points of view, especially on this topic."

Similarly, Mr. Moutz decided to take part because "there has been a definite bias in the dialogue at this law school on the issue, and I wanted to represent those points of view which receive little or no public support within the university community but which are generally accepted as reasonable." Mr. Graves's goal for the debate was to introduce "facts which are often overlooked in our discussions about skin tone preferences," such as "the fact that affirmative action is an entitlement which benefits almost exclusively wealthy Americans."

Asked later to reflect on the debate, student and faculty all agreed that the quality of the debate was very high. Professor Sandalow stated that he was "quite impressed," even "at points, extremely impressed" by "the quality of the students' participation." Professor Malamud felt that because of the shortened response time allowed, the panelists seemed "more responsive, both to the questions themselves and to each other" in the second half.

The most important point regarding this debate is that the dialogue on affirmative action must continue, in Professor Malamud's words, "in every way possible." Since "people have a tendency not to be willing to express doubt about their own positions in situations defined as adversarial," she said, it is important that we also provide forums in which people can feel comfortable challenging and redefining their own beliefs, such as reading groups and closed-door, members-only discussions. This debate certainly fulfilled Mr. Ellis's goal of demonstrating that "this community could discuss this issue without the more incendiary speech that seems to come with a discourse on this topic." Although the debate was only one brief conversation in what is necessarily an ongoing dialogue, it was certainly a step in the right direction.

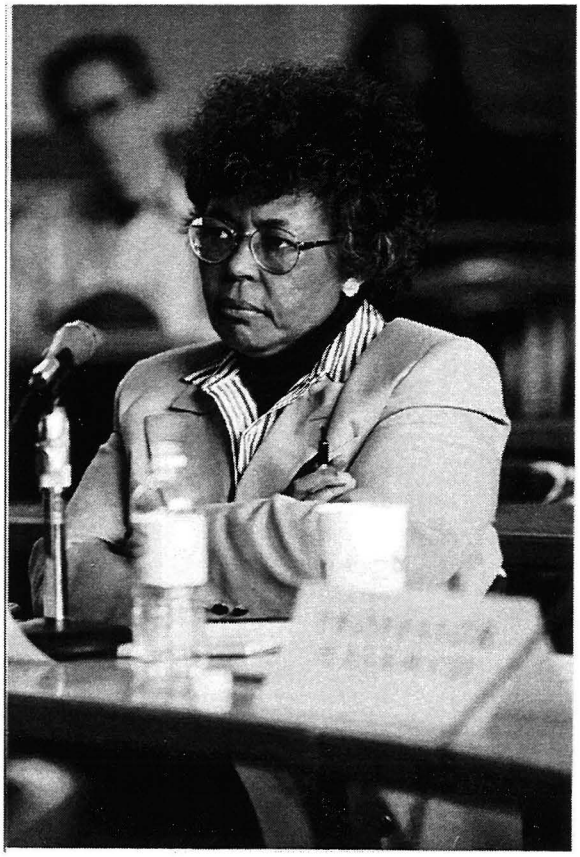

Photo by R.M. Lee

Professor Sallyanne Payton was one of three faculty who posed questions to the student panel.

Auction

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centage of our faculty," as Professor Clark put it, in a basketball showdown ($600). Students could also bid to get a self-defense lesson from 4th-degree black belt Professor Mark Fancher; "rock and bowl" with Professors Dana Muir, Renee Birnbaum, Carolyn Spencer, and Grace Tonner; and play pool with Professor Rine or with Professor Thom Seymour and his senior judge Matt Hall. Nature lovers could bid to go fly-fishing with Professor Paul Reingold or bird watching with Professor Bill Richman.

The most popular item for professors, students, and outside donors to donate was a meal, either cooked or paid for by them. Students were willing to pay top dollar for fine food and good company: A gourmet dinner for six with Professor Peter Westen went for $650; lunch with consumer activist Ralph Nader went for $625; and "dinner and stories" with Professor Brian Simpson went for $500.

Some of the most interesting items up for auction: a gift certificate donated by Professor Beckerman for an hour of fine art tattooing at Creative Tattoo ($260); a tour of Jackson prison donated by Professors P.E. Bennett and Ron Steinberg ($150); an airplane ride with Professor J.J. White ($450) or a flying lesson with student Jeffrey Klain (1L).

Some of the donated items with the highest "just for fun" quotient: tickets to see Professor Don Regan in "a small but juicy role" in the Michigan Gilbert and Sullivan Society's production of "Ruddigore" ($150); a copy of Professor Bill Miller's book, The Anatomy of Disgust, with "a really disgusting personalized inscription" ($310); a copy of Professor Simpson's Cannibalism and the Common Law signed in blood ($400) ("We don't want to know where he got the blood," opined Professor Lyon); and a chance to have your name appear in a casebook by Professor Ronald Mann ($200) or Professors Sam Gross and Richard Lempert ($400 for a chapter by Gross; $350 for a chapter by Lempert) — or, as Professor Gross put it, "a chance to have your name in a book which you will never read."

This year's auction raised the most money ever for the Student Funded Fellowships Program, which supports students working at what would otherwise be unpaid public interest summer jobs.

Save Professor Hills--- It has been brought to our attention that Professor Rick Hills is considering leaving the law school to go to Texas. Yeah, Texas- where there's big mean rattlesnakes and big mean Texans. Drop him a line at 763-9635 or e-mail him at rhills@umich.edu and tell him that you don't want him to go.

The Res Gestae

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Kris Lenart

Managing Editor:
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Mailing address:
The Res Gestae
The University of Michigan Law School
Hutchins Hall
Ann Arbor, MI 48109
Phone: (313) 998-7976

E-Mail: rg@umich.edu
URL: http://www.law.umich.edu/pubs/rg

you have the right not to remain silent.
write to us:
rg@umich.edu

A Message from the Dean

The RG recently asked Dean Lehman to comment on the changes to come in our Career Services Office. The following is Dean Lehman's response:

We enroll an extraordinarily talented group of students here at Michigan, students with the capacity to be leaders in all walks of professional life. An important part of our mission is to ensure that they are able to realize their potential, and are able to enjoy professional fulfillment upon graduation and throughout their careers.

In that regard, I have no doubt that we can make the most significant difference to students' lives by providing the most challenging, highest quality education possible in our classrooms and clinics. At the same time, however, our career services office provides a crucial complement to the school's academic core.

The responsibility of the career services office is to ensure that our students are as effective and successful as they can be in securing and selecting a job after graduation. That entails educating potential employers about how talented our graduates are, and creating convenient interview opportunities. It entails providing students with reliable information about employers, and providing useful advice on how to secure a job offer. And it entails being supportive during a process that can be impersonal and stressful.

We have historically had a very strong career services office, as is documented in the story from "Of Counsel" that is posted on our home page. At the same time, there are many different ways one might think about making it even stronger. As we prepare to make new investments in the office, I do not have settled views about which programmatic innovations or personnel additions will have the biggest impact on service. The new Director of the Office will be responsible for providing leadership in making those decisions, and for ensuring that they are implemented in a way that respects the fundamental values of the Law School and all the members of the Law School community.

The position is being posted and advertised right now, and we will be considering applications over the summer. I intend to identify a 'short list' of finalists who will meet with me, and with faculty members, students, and other administrators. My goal is to have a new Director selected and in place by fall.

O p í n i o n

Change is always difficult, especially in a bureaucratic institution. The last few weeks have brought significant changes to our law school, and whether these changes are positive or negative depends on one question: Where do we go from here?

Of course, there is no easy answer. The more important issue is how our institution determines its next move—how we choose the person who will guide the Office of Career Services in the future. While Dean Lehman has made it clear that he does not have strongly preconceived ideas of what qualities or programs are necessary for a successful placement office, it seems from the surveys we collected that many students do have a sense of the changes they would like to see.

This period of change is an opportunity for this institution to reevaluate its objectives in regard to the "service" part of "career services." However, it is the students' responsibility to make their views known in this period of transition, so that the administration can better meet the needs of the student body. We are shirking our own responsibility if we just sit around worrying about the fall interview season; or remain content that a system we disliked is changing. If we provide no direction, we can hardly complain when the office fails to meet our expectations.

Dean Lehman has expressed an interest in involving students to some degree in the search for a replacement director, but given the extent of the director's contact with students, we at the RG feel it is essential that student input play as large a role as possible in the selection of the new Director of the Office of Career Services. We would encourage you to tell Dean Lehman any thoughts, hopes, or suggestions you have for the future of OCS. It is imperative that students not let this narrow window of opportunity for profound change slip through our collective grasp.

Letters to the Editor

Becker-math 101

Dear RG,

While we all know the law school is a bureaucracy of epic proportions, I had always thought there was a modicum of fairness in the system. After all, we have carefully guarded blind grading and most of the professors seem knowledgeable and competent. My illusions were shattered after the grades came in for Securities Regulation, Fall 1997, taught by Professor Beckerman.

I was disappointed with my grade, so I followed the traditional law school ritual and reviewed my exam in the reading room, always a painful, but nonetheless necessary, experience. Except this time I noticed something interesting. The exam had four questions and the weighting system was spelled out: two questions were to be worth 30% each and the other two were to be worth 20% each. I did fairly well on the 20% questions, taking most of my losses on the 30% questions. The problem was, Professor Beckerman had misweighted the questions. He simply awarded points based on observations he thought deserved them. Then, he multiplied the points received by .2 or .3 to "weight" the questions. The only problem is, this bit of Becker-math only works if all the questions are allotted the same number of points, which, of course, they were not. So the bottom line is the 30% questions were drastically over-weighted and the 20% questions drastically underweighted, penalizing those who did better on the under-weighted questions.

When I pointed this out in my meeting with Professor Beckerman, he refused to discuss his "grading system." I subsequently took up Professor Beckerman's unique idea of a grading system with Dean Whitman. While finally acknowledging a mistake was made, I was informed my grade would not change, and anyone affected by this mistake would be notified. However, in a startling mathematical coincidence, no one I am aware of has had any grade changed. I then talked to Dean Lehman, requesting to see the raw grades and the supposedly adjusted grades (without names or exam numbers attached, of course) and was refused.

The law school is loathe to change grades, perhaps with good reason. However, in this case, an obvious error occurred, and I was stonewalled by an administration seeking to protect and keep confidential all evidence of the error. I suggest that anyone in the class who suspects their grade may be in error take this up with administration. Perhaps if enough people complain, they will be forced to take real action. As it stands, this is an embarrassment to the law school and calls the entire grading system into question. If the administration wishes to squash this, simply show us the original grades, and then the recalculated grades. Of course, that will never happen.

Kevin Hirsch (3L)

Guest Commentary

By Mark Trafeli, 3L

Recently Dean Whitman sent a letter to all students mentioning the continued changes in store for the Reading Room. She noted that the changes will make it a "less desirable study space during the daytime hours."

I wrote the dean and expressed my dissatisfaction with the choice to convert a room meant for quiet study into an office atmosphere without considering the desires of those who need the quiet space, namely the students. When she wrote back, she acknowledged that the administration found that law students use the room for study more now than before. The amazing part of her response was the administration's belief *that the reason for the increased use was as a result of their "decision to bring more lively activity into the space."* As a result, I write this letter to the RG in hope that others feel as I do in this matter.

The "lively activity" Dean Whitman was referring to is the recent construction of the offices into what were the shelving alcoves around the premises. Indeed, part of my letter to Dean Whitman focused on the fact that her use of the work "lively" I find to be a euphemism for the word "distracting." In my letter, I first indicated to her that even before the new alcove offices were opened, disrupting conversations at full voice could regularly be heard coming from either end of the Reading Room. Particularly rude, I said, were the conversations that began outside of the legal research building or in an office and continued between the conversants as they made their way past the reading tables. I never quite understood how this didn't affect the consciences of the speakers as they walked by table after table of students trying to concentrate.

Next I discussed how the problem has

See Reading Room, next page

Reading Room

Continued from page 9

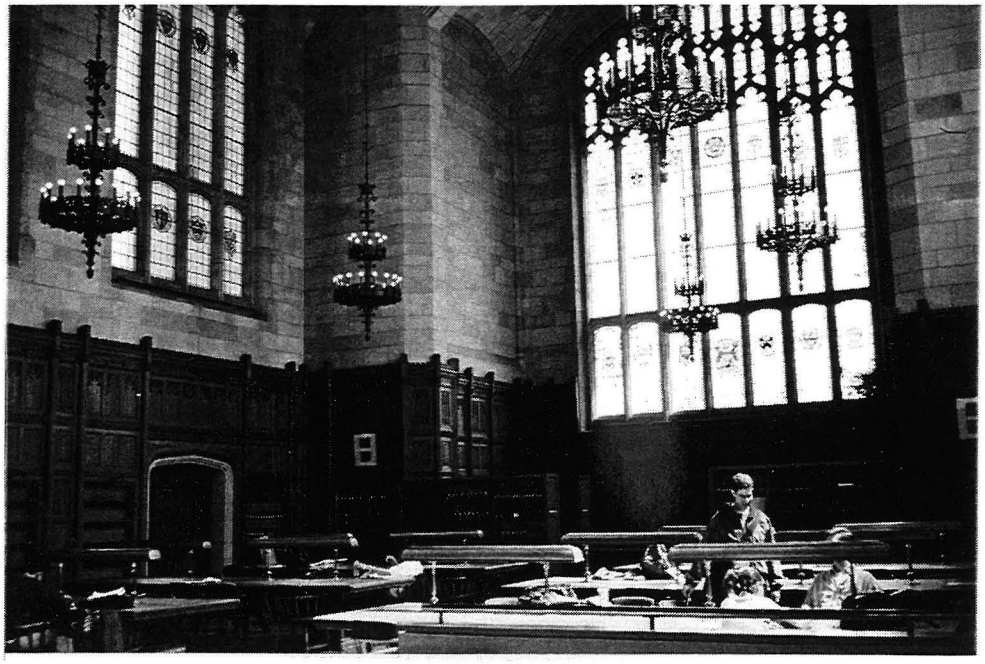


Photo by R.M. Lee

become compounded since the new offices have become occupied. Now, it is the norm for in-office conversations and the harsh sound of loudly ringing phones to spill out into the study area by those who keep their doors open.

On this point, I must have been unclear with Dean Whitman, for her response focused more on the decision to construct the new offices rather than their present use. I never complained about the decision to construct, only their use. In fact, I am very impressed with the integrity the new offices show for the original architecture and compliment those in charge. Nevertheless, I find Dean Whitman's justification for their construction quite interesting because it shows a result-orientated rationale that purports to be in student interest but when seriously contemplated just doesn't make sense.

She said that a "study of law student traffic patterns revealed that very few students even walked through the [alcoves]." Other bases for the construction were that the alcoves became sites for vandalism and undergraduate dirty sex. I am sure this is all true but it ignores the fact that the alcoves were unusable for study. It's like having a bed of nails and wondering why no one sleeps on it. Recall that the only table space was a slanted two foot long piece of wood that came out ten inches. It was designed to prop law reporters on for reference much like the metal trays that slide out from the stacks in the new library. A student could hardly be expected to study on either. In other words, had the school put useable tables in those alcoves, they would have been used by law and other students.

At this point law students should consider what all of this means. It means that during the day, it will be hard to study in the Reading Room without being distracted. Add to this the fact that the room is under total control of the undergraduates in the evening and the result is that there will be no time for peaceful study except maybe on Saturdays.

The concluding part of my letter to Dean Whitman discussed the disrespect for the stated no food and drink policy in the Reading Room. Ironically, the day after I wrote the dean, my girlfriend sat in a large puddle of fructose goo, some of which now permanently adorns her new suede coat. The attitude of students to this policy is embodied beautifully by an alteration of a notice proclaiming "FOOD AND DRINK FORBIDDEN" to read "KEEP FOOD AND DRINK HIDDEN."

I propose that these problems could be solved, or at least mitigated via two simple measures. The result would be a quieter, cleaner reading room.

1) I will call this the Rackham model, as this is the approach used there. Put simply, get a monitor to enforce the no food and drink rules and to quiet those who are disruptive. There is a lounge downstairs, if people want to talk or eat, they can go there or outside.

2) Send a memo around to office and clinic staff and students asking them to keep doors closed, turn phone ringers down, and to restrain from loud conversations, particularly when crossing the Reading Room. The monitor can enforce this policy as well.

Incidentally, a professor of mine mentioned just a few days back that our library has money that it "can't figure out how to spend." I believe that the hiring of this Rackham model monitor would be one good way to allocate these funds. Additionally/alternatively, during the day the people at the Reading Room desk could be asked to enforce these policies. A patrol sweep every 15 minutes or so would be adequate. They could also enforce the rule that reserves half the room for law students during finals that tends to be ignored.

Like Dean Whitman, I too would like to see the Reading Room as a "central location in student life." But I don't think that this has to happen at the expense of being able to study there. With a little more respect for others and some enforcement mechanism in place, it doesn't have to be. I am a daily user of the Reading Room and a lover of its aesthetic beauty. I have used it both as an undergrad and a law student here and as I leave it behind it is my wish that others will be able to enjoy and benefit from its use as I have. Let's make this so.

3 Second Memory

By Bruce Manning
RG Contrbuting Editor

Spring is marked by a pleasant change of the seasons—everywhere else except here in Ann Arbor where we trade clouds and rain for clouds and rain. The tulips and daffodils are blooming, the dew-covered grass is glistening in the defused morning sun and the Reading Room smells like a new car. Amid all the joy and musk, I cannot help but note that this verdant season of rebirth marks the death of my first year of law school.

It has been a hell of a year, hasn't it? Reminisce with me, if you will...

Who could forget September 3rd? You'll recall that was the day that Tyler Hirsch dropped out, just after the introductory lecture on classroom teaching styles by Professor Hammer, where, while insisting on student diligence, student preparedness and the trains running on time, he banged on the lectern more vehemently than has been seen in civilized society for quite some time. I almost joined Tyler—one measly day in law school and I'd already pissed my pants.

October 8th was an important moment for me. At a 'World of Law' presentation I was carefully instructed to proofread my resume and remove from it any iota of evidence that I was different from anyone else. As automaton was the party line, I realized that Career Services could save us a lot of time, and put their money where their mouth was, by writing and printing out our resumes for us. Thus, why should I bother going to their meetings?

November 7th was a hell of a night, wasn't it? The Law School really puts the bar back in American Bar Association, don't they? I'll be a happy guy when Scorekeepers lets me back in—by next July I should have worked off the debt incurred when I plugged their taps with epoxy. Also, I hereby issue a contrite and unconditional apology to that junior psychology major in the grey halter top for anything that may have transpired before, during, or after I became ill on her.

December 12th brought a simultaneous end to the finals and hunting seasons; Three professors bagged me and drove home with me tied to the hoods of their cars.

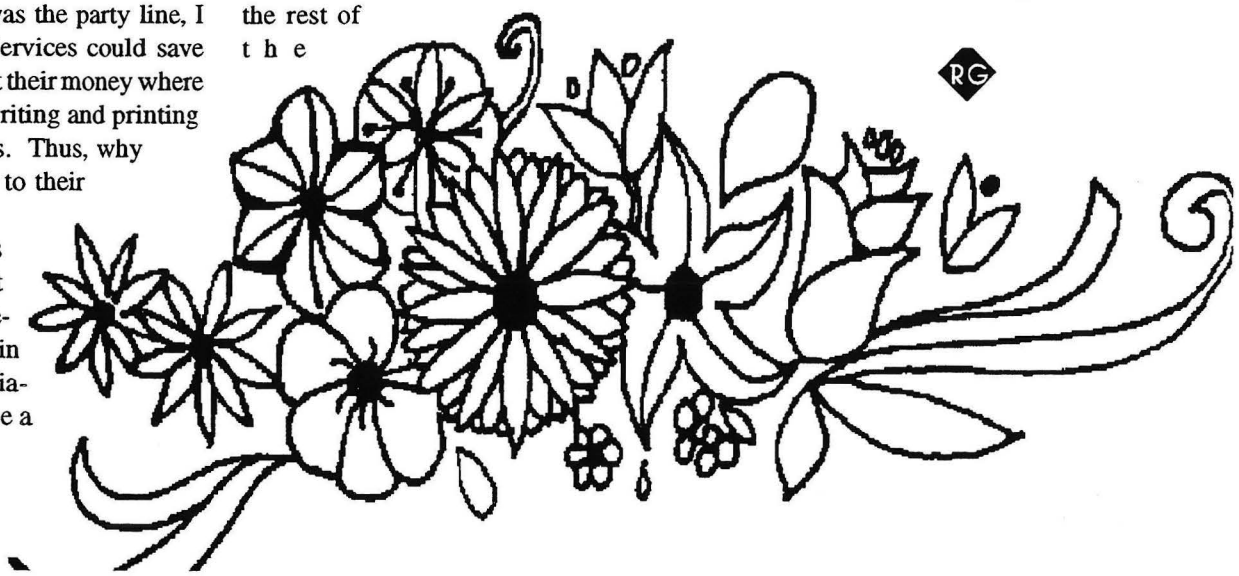
It is a terrible thing when life imitates life imitating life. As you know, I speak of Heaven's Gate II which brought the tragedy of Marshall Applewhite's cult here to Ann Arbor. I too mourn the 16 law students who, searching for meaning, committed suicide, lying in a circle, draped in Maize and Blue, and wearing Bruno Magli shoes. The school-wide minute of silence (broken only by the ruckus from the Fraternity next door) really put a damper on the January Rose Bowl celebrations.

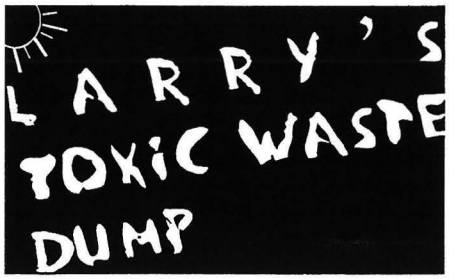
On February 19th, I emerged from my grade-induced coma to discover that I was unemployed. I can't remember much else about that month, but I'm told that I raised my hand all the time in class, yammered on and on, and made absolutely no sense. This meant that I blended in so well with the rest of the law school environment that no one noticed I needed medical help. I still sometimes show symptons of that horrid affliction and I apologize to each and every one of you for that.

You remember, of course, March 10th, the day Legal Practice professor James Brink slapped a student for blaspheming the Blue Book, the day Torts professor Hilary Marsden choked a student for badmouthing Justice Holmes, and the day Contracts professor Thomas Eakman delivered a swift upper cut to a student who called the UCC a "poorly written piece of crap." Dean Lehman issued a statement that read in part "the students had it coming to them," but I think we all know that someone dropped a controlled substance into the punch bowl in the faculty lounge.

April is the cruelest month and my first year of law school is so far along that it has started using a walker... I fondly remember, just as it were yesterday, yesterday, when I slept through all four of my classes. How will I ever make it through finals?

Yes, Spring is here and life is vibrant, alive, and fresh. Men are running around the quad with their shirts off, women are digging out their sun dresses, and I'm itching to put out my rocking chair, sip lemonade, and watch as my first year of law school slowly slips into its grave.





By Larry Sager
RG Contributing Editor

Quote of the week: "He's an idiot. That's off the record. For the record, we have no comment."

Headlines and the News.
MICHIGAN'S JESSUP INTERNATIONAL MOOT COURT TEAM KICKS NYU ASS; HEARTLESS RES GESTAE PRESSURES DEVOTED MOTHER TO RESIGN; SUPREME COURT JUSTICE HOSPITALIZED: TOO MANY CHEESY POOFS; MCDONALD'S STILL SUCKS

Contemplating the Supreme Being. My close encounter with the Court during two more hours of oral arguments (in a much better and closer seat) prompted checking my impressions and observations with a former Supreme Court clerk regarding the Justices' personalities, legal acumen, intelligence, and any general fodder for gossip he might provide. For starters, **O'Connor** reminded me of a stern Catholic nun, sour on anything showing signs of life. He affirmed. "What's with **Thomas**?" I asked. He characterized both **Thomas** and **O'Connor** as "bitter." And it's not that Thomas doesn't believe people are victims of prejudice and discrimination, in fact, he knows they are, he just doesn't care. My friend recalled the one instance when **Thomas** asked an attorney a single, rather simple question with no follow-up. **Thomas** apparently rarely/never asked questions when on the Appeals Court either, contending oral argument is a waste of time as opposed to **Souter** who appreciates it, particularly when his opinion is unsettled, "in about one out of 20 cases," the x-clerk estimates. Most helpful when attorneys' briefs "speak past each other," oral argument creates an opportunity for the court to focus both sides on a particular aspect of the case.

Stevens works conscientiously and hard. **Scalia** pals about with him during arguments, but never joked with **Souter** during the sessions I observed. "Do the Justices get along with each other?" I was curious to know. **O'Connor** and **Scalia** do not, often attacking one another in their written opinions. "He thinks she's an idiot . . . she doesn't always grasp the law." **Scalia** does not associate with those he considers inferior to him, including her. My friend likes **Souter**, compliments **Breyer**, thinks **Ginsburg** is bright, but overly "obsessed with finding cases" similar to those at hand when it doesn't really matter. "**Kennedy** seemed engaged," I commented. "Once he gets something into his head," the former-clerk told me, "he doesn't let it go." He's stubborn? I asked. "No. It's so rare he ever gets a thought, when he does, he won't let it go." Ouch. He ranks **Kennedy** as the least intelligent/competent court member, followed in ascending order by **O'Connor, Thomas** and **Rehnquist.** Hey—if you have a complaint about that, take it up with him. I personally think they are all very lovely people.

He says **Rehnquist** is tired, as he appeared to me. **Rehnquist's** wife recently died and as much as the gig bores him, it could be worse than to be the Chief Justice. **Thomas'** work is only as good as his clerks. His clerks also do all the hiring. So if you're thinking about a Justice **Thomas** clerkship, make sure you appear more right-wing and conservative than his clerks and you will be in the ballpark. All power to you. **O'Connor** desires to quit and was quite unhappy when Clinton was reelected. **William Douglas** tried to do the same, vowing to stay on the court as long as Nixon was President, as **Thurgood Marshall** hoped to outlast Reagan and Bush. Once, there were giants . . . Oh well. I asked my buddy what would have happened had he written a book about his experiences. "People would have kicked my ass." Probably similar to what he will do to me when he sees this.

Historical Memorial or Toxic Waste Dump? Hitting all the tourist sites, sending friends picture post cards and excitedly writing about which sights to see . . . what could be scarier than to realize I'm turning into George Pierrot. One of D.C.'s loveliest views: floating beer bottles, scum, and hundreds of dead fish floating in the Tidal Basin at the Jefferson Memorial. Spring-break vacationers mobbing every attraction and snapping pictures like crazy. Cherished personal mementos from the nation's capitol—pictures for the fireplace mantle of the FDR Memorial . . . his little dog **Fala** at his side . . . in the background . . . a beautiful waterfall . . . the back of some bald guy's head, a woman picking her nose, and two kids giving the finger.

Latest Apartment SNAFU . . . The six-foot tall window in the bathroom actually fell out of the wall, dented the toilet seat and lodged itself into the imitation linoleum floor, where I found it peacefully at rest. That's one less dangerous risk-increasing glass barrier to worry about. Triggered from the **poisonous fumes** emitted from my Swiss-cheese omelette, the **smoke alarm** has gone off for the last time. I tore the thing from the ceiling and stomped it to bits. It was still screeching, apparently constructed from some type of high-tech cockroach material. Hopefully, my hearing will return before the next Marilyn Manson gig. (I really like her music.) Not a single person in the building inquired whether the apartment was engulfed in flames, or if a brutal murder in progress. Strike all that. It's a lovely apartment. Come by anytime, byob, byos, **byow**, and byot . . . booze, stove, window, and towel (see last issue's column).

Flying Toast. Moving the toaster to the middle of the kitchen table and placing a dish next to it results in two pieces of ejected airborne toast ready to eat on the plate. If the toaster would simply butter the toast, I could go into the restaurant business or something. And the CHURCH OF SCIENTOLOGY building on the corner of my block provides weekend entertainment. From an outside table at the restaurant across the street one may watch an endless stream of people risking their lives, darting in, out, and across four oncoming traffic lanes against the light trying to escape the SCIENTOLOGY PEOPLE handing out literature and offering "free stress tests." It's fantastic.

RG's POWERFUL PRO-GUN LOBBY CENSORS SAGER ON JONESBORO . . .

And now, police detained a seven year-old, a ten year-old, and a twelve year-

old after the children allegedly fired **anti-aircraft missiles** at a passing United Airlines DC-10, just outside **Sarcoxi, Missouri**. "Tommy has always been taught the importance of safe weapon handling," expressed one shocked and surprised parent. "It's just not like him." Little Tommy obtained the weapon from his grandfather's garage. The Sarcoxi Juvenile Authority has charged the children with malicious mischief, attempted murder, and violating curfew.

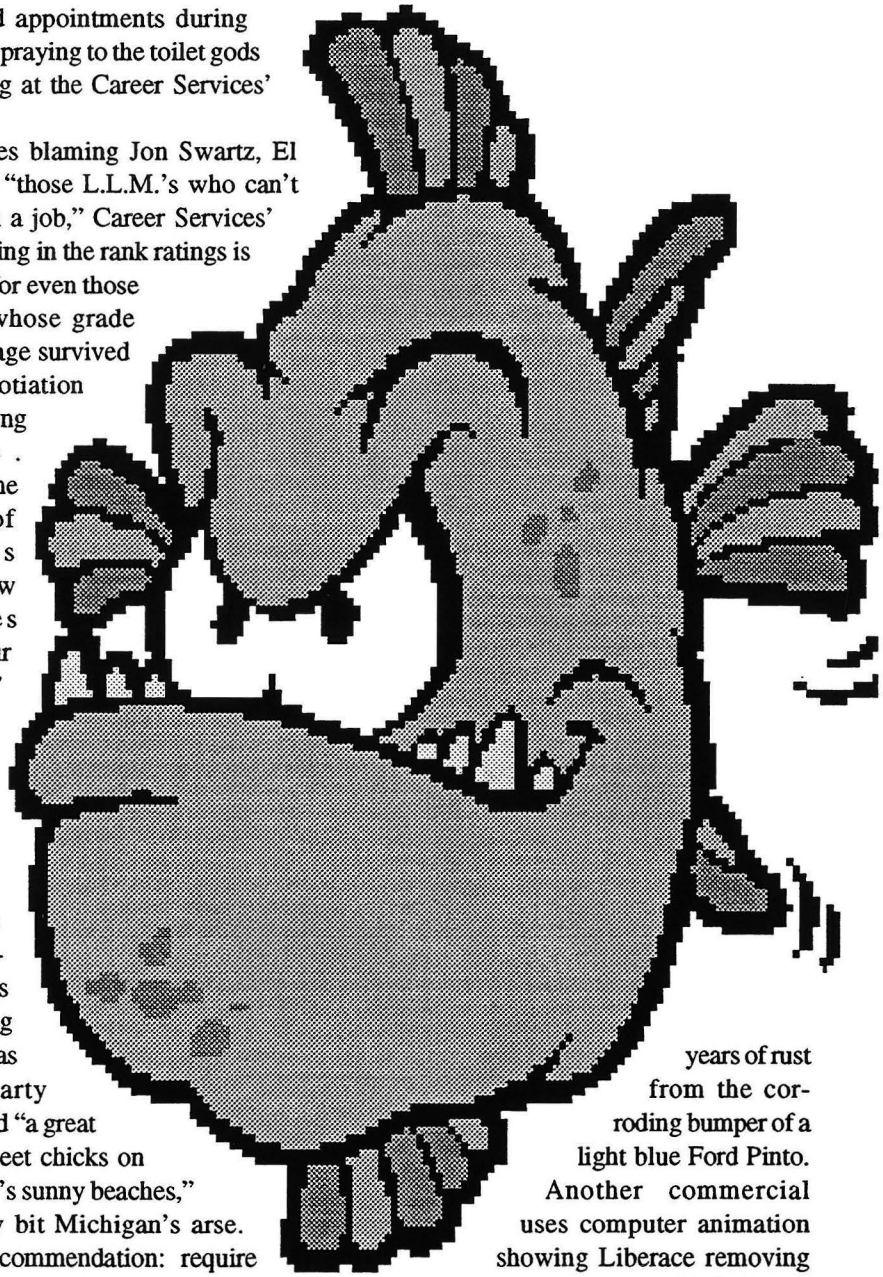
Don't Need No Earthquakes. Hopes to visit Yankee stadium may be dashed with massive pieces of an iron I-beam crumbling from its infrastructure—very similar to my apartment's bathroom.

Don't Try This At Home . . . Number one rated show SEINFELD nears its season's end, and a still unresolved controversial "**Cheerios Farts**" episode faces an uncertain future. A litany of litigants embroiled in battle over the airing of this sight unseen (for most) episode where Kramer and Newman mooch two boxes of Cheerios and a gallon of milk from Jerry's kitchenette cupboard, later joined by George. Together their "**Cheerios Farts**" cause the evacuation of a tour bus, a movie theatre, and a section of lower-box seats at Yankee Stadium. General Mills reportedly filed a restraining order to prevent airing the show; NBC is counter-suing; portions of the show released on the Internet prompted a copyright infringement suit; the cast is clamoring about intentional interference with a contract; and a public-interest group, FOLKS FAVORING UNCENSORED COMEDY SHOWS (**FFUCS**) makes a **NIED** claim somehow based upon First Amendment violations. Meanwhile, a Kramer (pole-vaulting) photo-op for Wheaties now hangs in the balance.

New **M&M's** commercial has a talking M&M (an M?) wearing a wig claiming to be a member of the **Hair Club For Men**, adding "I'm also a client." Lawsuit here or has Mars Incorporated diversified their holdings anticipating when their hooked-on-chocolate child-clientele lose their hair? And where's Hilary Taylor?

YOU CAN'T FIRE ME . . . I QUIT, OR KICK 'EM WHILE THEY'RE DOWN LIKE A GOOD LAWYER SHOULD. Fine dining: One disgruntled student complained that recruiters missed appointments during OCI while praying to the toilet gods after dining at the Career Services' buffet.

Besides blaming Jon Swartz, El Nino, and "those L.L.M.'s who can't hold down a job," Career Services' poor showing in the rank ratings is bad news for even those students whose grade point average survived J.J.'s Negotiation Class grading curve. Blaming the "glut of Thomas Cooley Law graduates kicking our ass," former World of Law graduate Edwin Swiney whines that Michigan Law's seething reputation as "a party school" and "a great place to meet chicks on Ann Arbor's sunny beaches," has finally bit Michigan's arse. Another recommendation: require that first-year students enroll in a 4-credit course "**THE WORLD OF LAW.**"



"Look," commented a newly recruited 1L law student who chose University of Arkansas' law school over Michigan, "there's too many damn lawyers." Nevertheless, the student (boasting a 180 LSAT score) expected law schools to "put out," expecting "perks and lots of free stuff." Arkansas' innovative aggressive recruitment program promising "**free hunting rifles for the entire family**" has proven extremely successful.

Coke Up, Sulpheric Acid Down. Dick Trickle and Mario Andretti appear in Coke's new ad campaign promoting the bubbly cola liquid removing paint and years of rust from the corroding bumper of a light blue Ford Pinto. Another commercial uses computer animation showing Liberace removing varnish from an old Steinway grand using a square of florescent pink steel wool and a dab of Diet Coke.

Famous Coca-Cola drinkers: James W. Booth, Adolf Hitler, Edward Lederer, Ted Bundy, Joseph Mengele.

Famous Pepsi Drinkers: Jackie Robinson, Mother Theresa, Michael Cameron, Leonardo Da Vinci, Jonas Salk.

So, until next fall when the RG will greet you with its editorial policy: "All the news that fits we print" or "anything a guy in a **trenchcoat** hands to us." Later.

The Studies of Legal Lad™ 2-L

By Matt Carlin, ~3-L
(and, apparently, R.G. Contributing Editor)

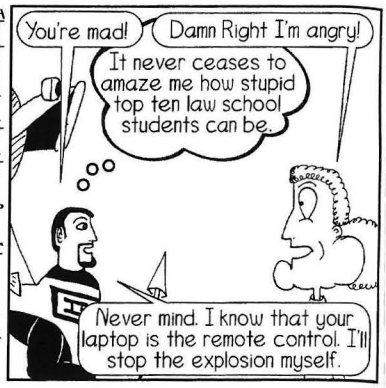
The Death of Legal Lad

Chapter 3 of 3: DOOMSDAY

Previously: Matt & LL split into two to take his Evidence final and stop the Gunner's bomb plot at the same time.

Text created on an Apple Macintosh® Computer

Thank you to the three fans I have out there.



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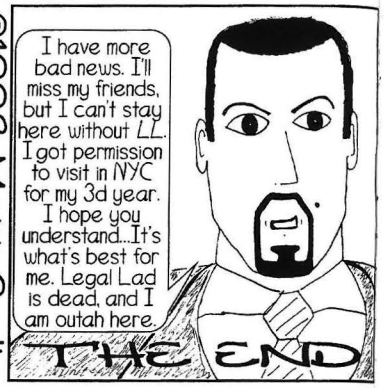

Congratulations to Michigan's Jessup International Law Moot Court Team, who finished as the top U.S. team and fifth in the world. The team, front row from left to right: Ken Pippin (1L), Brian Newquist (2L), Coach Jeff Silver (2L) and Matt Roskoski (1L). Back row: Eric Moutz (1L), and Matthias Wolf (L.L.M.) who helped the team prepare. Not pictured is Keisha Talbot (1L), who assisted with writing the brief.

A Few Questions with . . . Martha Cole

By Mike Sachs
RG News and Politics Editor

Title: Law School Recorder

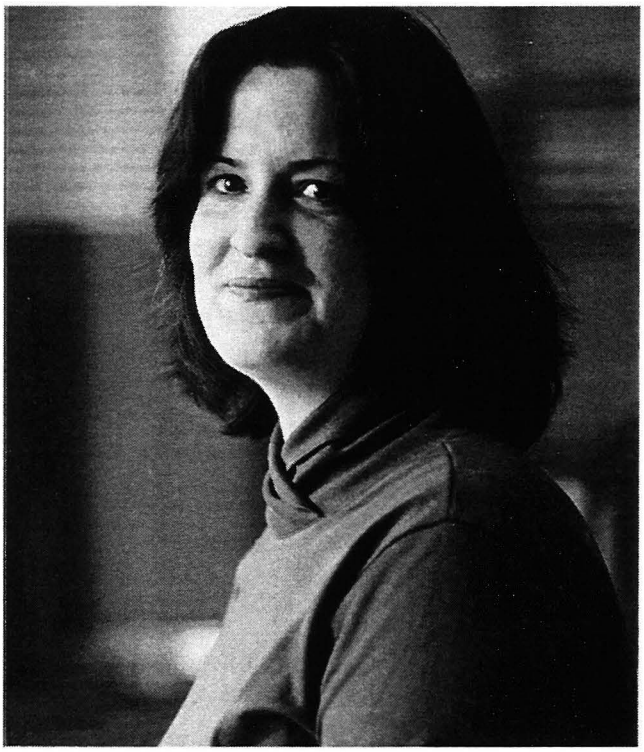

Photo by R.M. Lee

Responsibilities:
Organizes bar applications, confirms which bar examination graduating students are taking. Martha also assists at the counter, and makes sure that mailings go out to students with financial holds. All-around troubleshooter.

Time at the Law School: 3 1/2 years

Background:
Grew up right here in Ann Arbor, Michigan. Went to college at Ferris State at Big Rapids, Michigan.

How many people can you call by name if you see them in the hallway?
About 30 to 40 percent. Some people I see so often, I actually begin to call them strange names like last year with these two guys named "Frick and Frat!"

What do you think of Michigan Law School students? Do you find them rude?
Not at all! Those who are rude are a generally low number. [Michigan law students] are smart, intelligent . . . I really like the law students a lot. I like talking with them. During my first year, one student was afraid to approach me. I was so taken aback. I wanted to ask her, "What do you think a judge is going to do to you?!?" . . . But I like the students. I've received gifts from many in the past; that means a lot.

Many law school students would suggest that sometimes your actions toward them are a little rude, abrupt, or curt. What do you think about that?
I had to be for a long time. We were short-staffed and had temps working. I used to be a one-woman show up there! Sometimes, I can also be direct and to the point. Heck, law students pay a lot of money . . . they expect service!

Hobbies: Quilting and Sewing

Children: David, 13, and Katie, 7 (who was recently in "Melody On Ice")

Music: My son and I sing "Smashmouth" together! Sometimes, I'll start singing Janet Jackson and he'll turn off the radio.

Favorite Films: *One Flew Over the Cuckoo Nest, To Sir With Love*. I adored *Titanic*, and got to see that with my mom.

Favorite Books: Oh, just a lot of magazines. I spend most of my time with my kids.

Favorite Weekend Activities: I like to go for walks with my kids. Sometimes, we ice skate or bike ride. I'm a very simple person.

If one day you decided to do the most evil thing possible to a student, what could you do?
I can rip up their pass-fail form. I could publish their GPA's. I could clear out their records so it would be more difficult for them to register for the bar. *[Martha would like students to know that she would NEVER think of doing these things. Just consider it a Law School hypothetical—Eds.]*

If you could go back into history and ask one person, "What were you thinking?" who would that person be?
The gentleman who killed Martin Luther King. I really believe that if MLK had lived, there would be a peaceful example. It all came out of hate. Why on Earth would you shoot a peaceful man?

If you could unilaterally change one thing about law school, what would it be?
I'd like to see how to get information to students. They don't seem to understand all the rules.

RICTA!

BY RICK LEE

Verbiage

We write, we cite, we fight, we bite . . . but we ain't no co-conspirators.

"Winston Churchill didn't need sleep."
"Yeah, but he's dead."
—1Ls discussing sleep deprivation in law school

"How much would I have to pay you to shut up?"
—Prof. J. Krier, Property, to an overeager student

"So tell me of a satisfying profession that pays really well."
"...Ever seen *Boogie Nights*?"
—Exchange at the PhiD house on landing the ideal job

"When I get up to argue there's going to be a hot air advisory."
—1L Jackson Lewis at the Nat'l Appellate Advocacy Competition, responding to Prof. Spencer's report of a 'high wind' weather advisory.

"What does 'salient' mean? . . . Salty?"
—2L editor during RG *layout*

"What other law school's offices completely shut down from noon to 1 [p.m.]?"
—1L, asking a very good question

"...I think I have the right to flail my arms around wildly."
—Prof. T. Sandalow, Con Law, offering an invigorating hypo

"Let me probe you just a little deeper . . . ."
—Prof. P. Hammer, Contracts, applying a special sort of Socratic method

"It'll be like some baseball team that's had a bad year . . . you just get rid of the coach."
—Students discussing former O.C.S. director, Susan Kalb Weinberg, J.D., before her resignation

"This case is just like a *Cops* episode . . . except that it's not in a trailer park."
—Prof. S. Clark, to his fall term Torts class

Please send overheard quotes to rmlee@umich.edu.

3Q Interviews: Quickie Interviews of Busy Law Professors

With . . . Dean Jeff Lehman

Rick: "You were moving like John Travolta at the Winter Ball. Who taught you how to dance like that?"
Dean Lehman: "It's one of the great perks of being dean. You get 8 weeks of free dance lessons from Arthur Murray Dance Studios. I do a pretty mean rhumba, don't you think?"
Rick: " . . . Actually, no . . . But your 'funky chicken' and 'locomotion' were to die for."

Rick: "Did you really sue the Law School while you were a student here?"
Dean Lehman: "I think that the word 'sue' has some unfortunately negative connotations around here. Let's just say that when I was living in the Law Quad, a group of innocent students were constructively evicted from their rooms in the Lawyers Club and, as a consequence were traumatized and suffered foreseeable economic and noneconomic damages, as the result of the deliberate actions taken and/or authorized by the Regents of the University, then-President Robben Fleming, then-Dean Theodore St. Antoine, and some others. After a series of discussions, in which I was one of many participants, the concerns of the students were addressed to their satisfaction."

Rick: "Just between you, me, and the few people who read this column . . . did you finagle the Deanship out of the lawsuit/settlement negotiations?"
Dean Lehman: "I think that the word 'finagle' has some unfortunately negative connotations around here. Let's just say that, even back in Law School, I knew I needed dance lessons."