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Photo by Earle Giovannello

Marxist Lectures at Michigan Law

This week, the R.G.'s Bruce Vielmetti interviews Professor Alan Hyde, who is presiding over a series of short lectures and discussions of "The Marxist Critique of Law and Legality." Hyde's second lecture, "The Concept of Totalities" is scheduled this evening at 7:30 p.m.

R.G.: Professor Hyde, I understand you're a Marxist.

A.H.: I guess. I think so. I have a very loose view on this. I don't regard Marxism as any kind of science, or a religion or catechism, I regard it as a series of concepts and techniques for understanding the world and trying to change it.

R.G.: How did someone with those views end up teaching at Michigan?

A.H.: You mean how did Michigan invite me? As far as I know, there's no political test for appointment, especially for a visitor; the costs are pretty low. They needed someone to teach labor law, and when they viewed my politics it didn't hurt any; it might even have helped. There's a long standing tradition around here that you want students exposed to different viewpoints.

R.G.: Your wife teaches here as well this year, doesn't she?

A.H.: Yes, her name is Ellen Gesmer and she's teaching in the clinics this year, mostly in the Child Advocacy Clinic.

R.G.: Where were you both before?

A.H.: We're from New York City. I'd been teaching at Rutgers, and Ellen had been in practice as director of litigation at Bedford-Stuyvesant Legal Services.

R.G.: You held your first lecture on "The Marxist Critique of Law and Legality," last week. What are your reactions to student and faculty interest in the sessions? See page 2

The Law School Shopper

The Res Gestae

Vol. 32, No. 6

University of Michigan Law School

October 12, 1983

Family Law Group Starts Bucket Drive

by Andrea Lodahl

Next Monday and Tuesday on the street corners of Ann Arbor, and Wednesday on the Diag, you'll be seeing law students collecting money in large buckets. No, this is not a creative way to raise the cash for the tuition bill that's sitting on all of our desks: it's the annual "bucket drive" for the Family Law Project, which hopes to raise 75 percent of its operating budget next week.

The Family Law Project provides legal services for indigent victims of domestic violence, on the order of 70 cases per year. It is run by law students under the supervision of three local attorneys who donate their expertise to review the students' efforts, before court appearances. Otherwise, the students handle the services themselves on a case-by-case basis.

Most of the services provided are oriented towards preventing additional violence. Ex parte restraining orders, permanent injunctions against harassment, divorce, and child custody cases are among the most urgently needed services. The Student Senate gave the FLP \$1100 this year; even so, the supply of money and students still can't keep pace with the need for these services, and clients have to be turned away every year.

In addition to providing a much-needed community service, the Family Law Project provides its members with an opportunity to apply what they're learning. Dave Lamb, a first-year who just received his first FLP client, said "This gives me a chance to get some practical experience in the legal community, and for a good cause too. It helps to put law school in perspective."

Interested students can contact the Family Law Project by phoning 763-6591, or visiting the office at 4311 Michigan Union. And those of us with social consciences but no time to spare can help with supplies, insurance and equipment by donating some of our earning potential in the buckets next Monday, Tuesday and Wednesday.

Flyback Abuse Draws Attention

by Helen Haynes
and Bruce Hedgcock

Described by the Detroit Free Press as "the most sacred room in all of Hutchins Hall," Room 200, the hub of the Michigan Law School placement service, may also be the school's most controversial room. Such controversy erupts throughout the interview season when disgruntled students perceive that some of their classmates may be monopolizing interview slots and generally abusing the placement system.

While acknowledging that some misuse of the interview process does occur, Placement Director Nancy Krieger explained that abuse by individual students is much less common at Michigan Law School than at many other schools. Krieger stated her belief that most of the abuse arises in the second year class, because "third years realize that office interviews aren't fun, that they are only extended interviews like the ones encountered in Room 200." Krieger elaborated: "It's hard to be congenial, cordial, interested and inquisitive for eight hours. Plus,

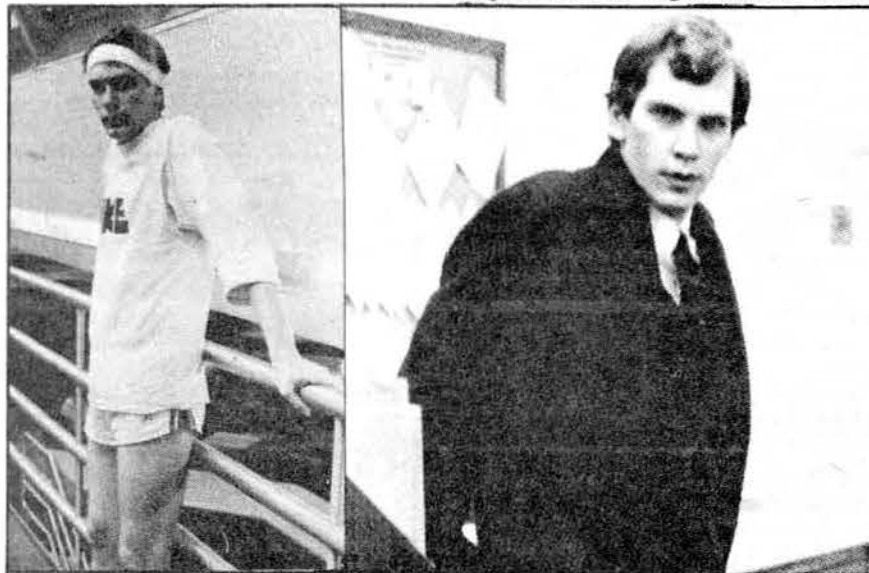
having dinner with strange people is often quite a strain."

Krieger asserted that much of the abuse stems from simple indecisiveness. Students interview with a couple of firms in many different cities out of an inability to choose any particular locale. Krieger believes that students should narrow their choice of cities down to two so that they can have some feeling for the legal and professional climate of the city, as well as the lifestyle available in those cities. According to Krieger, many students try to rationalize interviewing in many cities by saying that they want to see the city and judge the quality of life. "It's impossible to judge the city from the windows of an airport limousine. Plus, you only see the downtown area or a suburb like Shaker Heights, where the partners live—you won't be living there anyway," she added.

Krieger believes that the students themselves can easily cure the abuse stemming from indecisiveness. Students need to evaluate what kind of practice they want, what kind of lifestyle they want to lead, and what kind of environment they want to work in. Although the cure seems self-evident, many students simply do not know how to take stock of their professional and personal goals. According to Krieger, the placement office has many resources which the student can use to make proper career decisions.

A second reason for abuse is the student's ego. Krieger stated that there

See page 2



Where's the phone booth, Tom? Mild-mannered, third year law student Tom Larson goes through the motions last week. Tom modestly added that his resume is "more powerful than a locomotive."

Photo by Earle Giovannello

1-L's Assume Senate Role, Gargoyle Nixed

by Brad Heinz

Eric Hard, Doris Coles, Russell Smith and Sheryl Moody beat out their opponents last week for positions as First-year Representatives on the LSSS.

During their first Senate meeting on Monday night, the new student senators faced the issue of what to do about the presently-defunct Gargoyle Film Series. In the past, Gargoyle Films presented third-run movies to large, general audiences in Room 100. A first-year student agreed to manage Gargoyle Films for the LSSS this year

but he insisted that the series have something to do with legal education. Senators cited lack of student interest and rejected the 1-L proposal. The majority of new, First-year senators, however, abstained from voting.

Regarding her first Senate meeting, Sheryl Moody commented, "I thought there were certain members on the Senate who weren't interested in getting any first-year input but just wanted to get out of the room. If they wanted to take a vote on this Gargoyle Films issue, they should have given some information when they were asked before

the meeting."

First-year Rep. Eric Hard noted, "It's hard to avoid the feeling that you've kind of popped into something that's been going on a long time. You get the feeling that there's sort of a clubbiness there and that there's an understanding among various members."

Rep. Russell Smith said, "I feel like I don't know anything and I think I did a fairly good job of trying to find out things about the Senate. But I think it's going to take us all awhile to figure out what's going on here."

Mister Hyde Lectures on Doctor Marx from page one

A.H.: I was pleased by the turnout, as I've been pleased by the student response to other things I've tried to do. What I'm trying to do in the lectures is present the material, that is the various things that Marx and Marxists have had to say about law, which is not in one place, and has never been put together in very useful form for students. It's scattered throughout Marxist writings.

R.G.: There were several faculty members at your first session. Do you expect any particular kind of input from them?

A.H.: There were questions from faculty members at the first session, and there have been many questions around the faculty lounge about what I'm doing.

R.G.: What kind of questions?

A.H.: Well, there's a lot of intellectual curiosity around here, and people are genuinely interested in ideas. There are a certain number of avoidance patterns to ideas of this kind, where the common reaction of

a faculty member is that if you present Marxist ideas, either they'll be wrong, and don't need to be considered, or they'll be right, in the sense of what the faculty member has always believed, and therefore don't have to be considered because they're not Marxists.

R.G.: At your first lecture you asked for "hard cases" and someone volunteered *Palsgraf*. Is there a particularly hard case that you favor to best exemplify how Marxist techniques can apply?

A.H.: I really start with cases only because it's something we deal with every day. I've come under some criticism from others for starting with cases, and they're right in the sense that we do so much case stuff in law school, and one of the points of these lectures is to find ways of directing our attention away from cases and towards other social phenomena and the larger social context.

R.G.: What are some of the social phenomena we can look forward to considering in future lectures?

A.H.: I want to talk first about the

idea of totalities. It's an idea that's not only Marxist. It's the notion of knowing something only in the total context. It's pertinent to think of legal ideas as a piece with religious ideas, political ideas, all of which associate with social grounds of various kinds, and most particularly in Marx's case, ownership of the means of production.

R.G.: What's your main interest in labor law right now?

A.H.: My main research interest, which is actually how I got back into studying these Marxist ideas, has been in understanding when a society will resort to legal personnel and institutions in regulating labor relations.

R.G.: Do your students seem to enjoy, or find extra interest in your classes because you have Marxist ideas?

A.H.: Some do, some don't. Some

probably see it as a hindrance to the task of the course, and sometimes it probably is.

R.G.: You mentioned that you appreciate the greater chance to socialize with other faculty members here than is possible at a commuter school like Rutgers. Is there a different feeling about your interactions with students too?

A.H.: I'm having a very good time. I don't know if all my students would share this with me, but I'm really having a good time every time I walk into my contracts class or labor law seminar. I'm thoroughly enjoying the interactions I'm having with students.

R.G.: So can students look forward to possibly seeing you in contexts outside the classroom or hallway?

A.H.: Yes, I'm pretty accessible.

Room 200 Antics Create Jobs, Hard Feelings from page one

is much glamour and prestige in the public's eye attached to flying from city to city on an apparently limitless expense account. Moreover, some students find it hard to resist the ego stroking when they have spent their entire first year trying to protect their egos from complete destruction. This type of abuse is especially difficult to cure since the student himself must decide that the prestige is not worth the effort.

Krieger also debunked the myth that law review members are the abusers. She explained that law review students are "too sensitive to the criticism of students and the school's perception of them" to openly abuse the system. If there is abuse, Krieger added, the senior staff will generally "sit on the abusers" until they stop. "I've always received 100 percent cooperation from the law review staff," she noted.

Last year's array of "bonus" flight plans offered by various airlines helped spur abuse of flybacks, Krieger said, because students wanted to accumulate enough flights or air miles to receive a free flight for spring break. Krieger explained that firms reacted to this by initiating "pre-paid" flight programs, which not only cut down on frivolous

flybacks but also had the hidden benefit of aiding students who could not afford to front travel expenses themselves.

Krieger asserted that the key to preventing abuse of the interview process is self-policing by the students themselves. She believes that students' consciences make them realize that by taking too many interviews and flybacks they are really hurting other students not just at Michigan but at other schools as well. However, for those with less sensitive consciences, some outside force may be necessary to prevent abuse.

Krieger would like to see control coming from the students, but she realizes that lots of students are reluctant to speak to supposed abusers because "they will be accused of jealousy, bitterness, sour grapes, self righteousness, etc." She is willing to speak to a student about proper use of the placement service, but she has to be informed of the problem before she can do so. "I've never had to ask a student to stop interviewing because the situation has never been that bad," Krieger commented. "However, I would do it if I was forced to the wall by a serious case of abuse."



Newly-elected first-year representatives Eric Hard, Russell Smith, Sheryl Moody and Doris Coles

Notices

THE COMPUTER LAW SOCIETY will have a Micro-Computer User's Group lunch meeting on Monday, October 31, in the Lawyers Club Lounge, from 12:00 to 2:00. It's an informal meeting and anyone associated with the Law School is invited to attend all or part of it. This year CLS members have many different kinds of computers. If you're thinking of buying a computer, but don't know where to start, the lunch meeting will be a good place to get information. If you have a computer, but don't quite know what to do with it, CLS can put you in touch with people with computers like yours.

JAZZ UP your Sunday — come hear "Louis Johnson and Friends" at the Comfort Inn (Jackson Road at I-96) from 7 - 11 p.m. Call 769-0700 for more information.

THE UNIVERSITY THEATRE Program will hold its Annual Halloween Sale for the Costume Area on October 20-21 from 9 am-5 pm outside Room 1528 Frieze Bldg. The sale offers costumes and costume items from past and recent theatre productions for those searching for Halloween apparel. Prices range from \$5 to \$75, with most available in the less expensive range. Cash only. Proceeds to purchase needed shop equipment for the Theatre Program.

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Except for our name change, our firm continues at 34 attorneys specializing in patent, trademark, copyright, trade secret, unfair competition, and related anti-trust litigation. Although the litigation practice predominates, the firm also has an active and growing practice in preparing, filing, and prosecuting patent, trademark, and copyright applications. We are looking for associates and summer clerks who are interested in participating in major intellectual property litigation, yet prefer the personal atmosphere of a small firm. We will be interviewing all second and third year students for summer 1984 positions on

Thursday, October 27

Newsfeature

Computer Innovations Expand Copyright Law

by Andrea Lodahl

Within the computer industry, one of the most pressing legal issues is the protection of innovations in computer software and operating systems. The nature of the technology itself has strained the boundaries of conventional patent and copyright law. The solution at present is an uneasy truce between accepted law and the public policy objective of encouraging continuing investment in research and development.

"Software," the actual programs that are used for specific functions such as statistical calculation or word processing, have been protected since 1976 under copyright law. A more difficult definitional problem has arisen with respect to operating systems, the overall sets of instructions that control a given model of computer. Because they are an integral part of the machine itself, operating systems have been seen as falling between patent and copyright protection. They consist of language in a sense, but the language is a "source code" composed of ones and zeros arranged in a certain order; many legal professionals have expressed doubt that copyright protection is appropriate for such a component. Other, protected software is written in

more sophisticated and intelligible languages such as Fortran.

Part of the difficulty with operating systems, as opposed to ordinary software programs, is that the operating systems instructions are customarily contained on a microchip. Critics of the copyright protection approach have argued that because of their structure, these chips are more properly con-

research and development were tiny by comparison. Patent protection could not satisfactorily fill the gap, primarily because of the time constraints involved in obtaining patents. At the pace at which innovation in the industry is now moving, patent protection would not be available until long after the innovation had become obsolete.

This risk has created particular con-

cerns in terms of domestic versus foreign manufacturers. The competition in the industry is extremely fierce; domestic companies have expressed fears that foreign-made duplicates of their R & D successes could possibly arrive on the market sooner and steal a share from the larger firms.

Franklin's defense that operating systems were not protected under copyright law was rejected and the lower-court decision reversed by the Third Circuit Court of Appeals in Philadelphia on August 30 of this year. In its opinion, the Court rejected the contention that copyright protection was restricted to literary works "in the nature of Hemingway's 'For Whom the Bell Tolls'." (Computer Law Reporter, 2:5, p. 343, 1983.) However, the robustness of this decision remains to be tested. Franklin will in all probability try to appeal the decision. The Circuit Court's decision ran contrary to previous decisions which had held that materials to be copyrighted must be written in a language of description and that operating systems failed this test.

The issues raised in the Apple-Franklin conflict illustrate a growing gap between new kinds of information technology and the adequacy of existing law to regulate and protect that technology. The public policy concerns here are clear; the encouragement of investment (in the Apple case, \$740,000 and 46 man-months) in research and development versus substantial expansion of the bounds of copyright law.

Coming articles will examine other growing areas of need in computer law, including computer crime, unpermitted infiltration of computer systems, and larger issues of information management and individual civil liberties.



sidered an integral part of the machine and therefore an invention rather than the expression of an idea.

Until recently, this gap in legal protection posed a substantial risk to innovators in the computer field, whose systems for operating a given model of computer released on the market could be copied with impunity by smaller companies whose investments in

cerns in terms of domestic versus foreign manufacturers. The competition in the industry is extremely fierce; domestic companies have expressed fears that foreign-made duplicates of their R & D successes could possibly arrive on the market sooner and steal a share from the larger firms.

A recent decision in Federal court has presented a new rule in an attempt to close this gap. Apple Computer, Inc. has sued Franklin Computer Corp. for copying 14 operating-system programs, resulting in a Franklin product that vir-

Notice

THREE LAW PROFESSORS—John H. Jackson, Douglas A. Kahn, and Thomas E. Kauper—have been named to distinguished professorships at the Law School.

Prof. Jackson, who has served as the Henry M. Butzel Professor of Law, will become the Hessel E. Yntema Professor of Law. As the Yntema professor, he succeeds law Prof. Eric Stein who has retired. Prof. Kahn will become the Paul G. Kauper Professor of Law. Previously this professorship was held by Prof. L. Hart Wright. Prof. Kauper will become the Henry N. Butzel Professor of Law.

Prof. Jackson, a member of the U-M law faculty since 1966, is a leading authority on the law of international trade, including the General Agreement on Tariffs and Trade (GATT). He served with the U.S. government as general counsel of the Office of the President's Special Representative for Trade, and as consultant to the Senate Committee on Finance. Jackson is also co-author of the law casebook "Contract Law in Modern Society."

Prof. Kahn, a specialist in the field of taxation, joined the Law School in 1964 after serving as a government attorney and working in private practice. "Prof. Kahn is one of the Law School's most highly regarded teachers, admired by both for the effectiveness of his teaching and for the close relationships he has established with large numbers of students," commented Dean Terrence Sandalow. Kahn is also the author or co-author of four texts on various aspects of taxation.

Prof. Kauper, a specialist in antitrust law, joined the U-M faculty in 1964. He was assistant U.S. attorney general in charge of the antitrust division of the Justice Department from 1972 to 1976, and previously served as deputy assistant attorney general in the Office of Legal Counsel.

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Terminal

The Law School Administration is reviewing the effectiveness of the Library. That effort would be far from complete without an examination of computers and access to them. Michigan Law School must respond quickly to changes being forced upon it by computers.

Scholars at Michigan and other legal centers are turning to computers to aid them in research. Packaged programs and data bases are revolutionizing information gathering, storing and organizing processes. Law firms are asking students about their knowledge of high-technology legal issues and computer litigation. And word processing equipment has replaced the everyday typewriter in most large and sophisticated law practices.

Virtually every law school in the nation uses the Lexis system. At Michigan, unfortunately, this is the limit to a law student's search for information through computer. Currently, one Lexis terminal exists for student use. Often, it is used for training first year law students. Last year, access to the terminal was jammed during the Case Club brief-writing period for first-years and the same will occur this year. The purchase of the Library's Westlaw package, then, deserves applause.

What changes are needed? First, an education campaign is needed to show students the potential computers offer. The Michigan faculty is realizing the benefit of the computer systems available to it; but this system is used exclusively by faculty. Second, students must have access to word processing equipment. Currently, there is none unless the student purchases an account with the University. Numerous undergraduate institutions provide (and some make mandatory) use of word processing equipment.

Third, a course in computer law should be offered. This is nothing new for smaller law schools in Michigan, law schools with more limited resources than this sleeping giant. Finally, vastly increased access to computer terminals and data bases should be encouraged.

Students have a particular responsibility here: computer jocks should arise from the terminals and voice their support for change. The Computer Law Society is attempting to change and educate. They need support. We urge students to talk to the Law School Administration and demand action.

Forum

Group Seeks Diverse Faculty

To the Editor:

In the past several years, many students have become increasingly concerned with the fact that there are so few minority and women faculty at the Law School, as well as with the slow pace of change in this regard. The Ad Hoc Faculty Search Committee was established in the spring of 1983 by the Law School Student Senate in response to this concern. We would like to take this opportunity to discuss: (1) why we believe there should be more women and minority faculty members; (2) some of the perceived difficulties in achieving this goal; (3) some suggestions to the faculty and the student body.

Why We Need More Women and Minority Professors At The Law School

At this time, with a student body composed of 32 percent women and 11 percent minority students, the Law School has 4 percent women and 4 percent minority members on its tenured and tenure-track faculty. While we are not necessarily suggesting there must be a strict percentage correlation between the composition of the faculty and the student body, we do believe there should be more than two women professors and two minority professors (one of whom is a minority woman) out of a total of approximately 50 faculty members.

We take this position not just because diversity is a good idea, but because our education at the Law School has suffered from the lack of diversity on the faculty. We believe women and minority professors have much to offer as role models and as reflections of the changes taking place in the "real world" of the legal profession. They will be able to bring different, even unique, perspectives to the teaching of traditional areas of the law—perspectives now missing or underrepresented. In addition, they may bring to the school an interest in teaching courses focusing on legal issues related particularly to minorities and women. In a law school of more than 1100 students, these responsibilities should not fall on only three people.

The philosophy of the School, expressed in its admissions policy, is that the school is a better, healthier, livelier place with a diverse group of people. The School also believes that this diversity can be achieved without sacrificing adherence to high academic standards. We believe that the same can be done with the composition of the faculty, and that more women and minority professors will enhance and invigorate the entire law school community.

The hiring of new professors is solely the responsibility of the Law School faculty, many of whose members have expressed their desire to have more minority and women colleagues. In the past few years, several faculty members have made concentrated efforts to identify and attract minority and women candidates. In spite of these efforts, Michigan still lags behind others in the "first tier" of law schools—those with whom we are in direct competition for faculty members and students.

Letters Policy

The Res Gestae welcomes comment from our readers. To be printed, articles must be signed, although requests for anonymity will be considered. We reserve the right to edit for length and clarity. Submissions should be double-spaced typed, and may be dropped off in the Drop Box on the door of the R.G. office.

The deadline for each Wednesday's issue is the preceding Sunday at 6 p.m.

Some Perceived Difficulties

Several factors have been hypothesized as possible explanations for the difficulties Michigan faces in attracting qualified minority and women candidates:

- the candidate pool is small: many qualified minority and women candidates choose private practice or government work over teaching.
- husbands of married women candidates may find job opportunities limited in Ann Arbor.
- there is a perception of limited social opportunities for single women candidates.
- there is a perception that the minority community is small in Ann Arbor.

Some Suggestions

The Ad Hoc Faculty Search Committee was set up to channel and articulate student concern about the lack of minority and women faculty members, and to provide assistance to the faculty in their search. One of our first efforts was our letter to the student body last April, asking students to use their summer contacts to learn about minority and women teachers and lawyers who may be potential candidates for the Michigan faculty, and to pass along such information to our committee. Names we have received to date have been referred to the faculty.

While we have no direct input into the selection process, we would like to offer some suggestions to the faculty. We hope the faculty will establish specific goals, identify tasks necessary to meet those goals, and set schedules to accomplish those tasks. Furthermore, we hope the faculty will reexamine the criteria used to identify candidates, and consider additional criteria not typically included, which might lead to the diversity of perspectives we seek. We hope the existence of our committee and the student interest which it reflects can be used by the faculty to persuade women and minority candidates that they will face a friendly and concerned student body.

We plan to explore other aspects of this issue in future articles in the Res Gestae—please look for them. More importantly, give us your comments and suggestions. Our mailbox is outside the Student Senate Office, 217 Hutchins. We'll be checking it daily.

Ad Hoc Faculty Search Committee

RG Sold Out

To the Editor:

Recently I was back at the Law School on a research project and ran across some issues of the current Res Gestae. It was practically unrecognizable to me except for the logo: newspaper format; hierarchical staff; half-tone photos; big law firm ads. Very neat. Very clean. Very respectable. The gray flannel boys and girls finally won.

So as 'ol Yell Kamisar used to say—"Therefore What?!" Well, Yell, the point is whether this is the stuff UM law students want or (especially) need.

Some years ago I edited what now appears to be an aboriginal version of RG. You folks out there may be interested to know it once had regular satire, cheap printing, a moral conscience, no right-hand justification, student cartoons, silly mistakes, Argie the perspicacious mascot in the margins, no paid advertising, passionate writing, tiny salaries and unrepentant irreverence.

But then you can't go home again.

Michael G. Slaughter

Michael G. Slaughter is an attorney with the Public Interest Law Clinic in Kalamazoo.

WLSA Programs Attempt to Make Life Safer

To the editor:

Last spring the Women Law Students Association (WLSA) initiated a rape prevention program in response to the high number of assaults in Ann Arbor each year. There has been a growing concern about sexual assault since there have been over 356 reported incidents of criminal sexual conduct in Washtenaw County between October, 1979 and September, 1982. In the past three weeks, there have been three reported sexual assaults on University of Michigan women.

This week WLSA's Security Systems Committee will be sponsoring an information table concerning safety precautions for women in Ann Arbor. The presentation will include a map from the UGLI showing locations of reported rapes and assaults, as well as information about rape and crisis centers. WLSA is coordinating a three part security service to provide law students with safe transit from the law school after dark.

Escort System

For law students who can't be sure when they'll leave the law school each night, but who are willing to walk or drive someone else home, or who would use such a service, WLSA has donated a map of Ann Arbor, located on S-1 by the message board, to the right of the main desk as one enters the library. We are encouraging students willing to walk or give

women law students a ride home to indicate at what time they are leaving the library by placing the appropriate track or pin on the map. Women who want a walk or ride home may then look at the map, find someone who is going their direction at the proper time, and meet that person in front of the Main Desk. The map contains clear instructions on how to use the Escort System.

The Committee believes this system to be the safest and easiest to implement because 1) it will be available only to the law school community, so women law students will not have to entrust their safety to a stranger and 2) women who do not want their movements predicted may nonetheless use the Escort System, because only those willing to give a walk or share a ride will so indicate on the map. A woman may therefore decide at the last moment to use some other means of transportation. However, we hope that women who are walking or driving home alone, and who feel comfortable doing so, will place a pin or tack on the map and share a walk or ride with another woman.

The system will begin operation October 17. The Committee hopes that you will help each other and stay safe by using the Escort System. Please, when you enter the library at night, remember to place a pin or tack on the map. If you do offer to walk or drive someone home, meet them promptly at the

front desk. Someone may be depending on you.

Scheduled Walkers

So that women law students are assured the possibility of a safe trip home Sunday through Saturday, the Committee also wants to provide volunteer escorts who will leave from the Main Desk on S-1 at 11:00 p.m. The escorts would volunteer approximately one hour of their time, once a week. They would be available to walk women law students home within a one mile radius of the law school. We hope to have at least two walkers available each night.

Networking Carpooling

Many law students live near each other without ever realizing it. If you find out who your neighbors are, you can arrange walks and rides at your own convenience. If you wish to participate in this network system, or if you are willing to volunteer as an 11:00 p.m. walker, please sign up at the WLSA information table in front of Room 100 on Thursday or Friday, October 13 and 14, or fill out a card in the envelope on the WLSA door.

Last year's security system never had a large student involvement. No system will be effective if unused. The Security Systems Committee encourages all students, particularly women, to take full advantage of the system and to avoid the unnecessary risk of walking alone.

Ask Firms About SFF Match Funds

To the Student body:

Each year the Student Funded Fellowships (SFF) collects donations from students clerking for private firms to subsidize students taking summer internships with public interest organizations. Last July, the SFF Board initiated a new approach by sending a solicitation letter to the 700 law firms now interviewing at Michigan. The letter explained that the firm's donation would be part of an Employer Match Fund used to match student pledges in the 1984 Student Funded Fellowships' campaign. The Employer Match Fund has thus far received \$3100, a 5.7 percent return.

The reason for the Employer Match Fund is simple: SFF needs money. In 1983, the number of Fellowship applicants doubled from that of 1982 and SFF was forced to turn away 17 of the 29 students who applied. The Board expects that applications will top 29 in 1984. A 5.7 percent response from the solicited firms is not enough.

A \$3100 return indicates that the SFF solicitation is viewed as "just another charity drive." The Michigan student body can change this view. Law

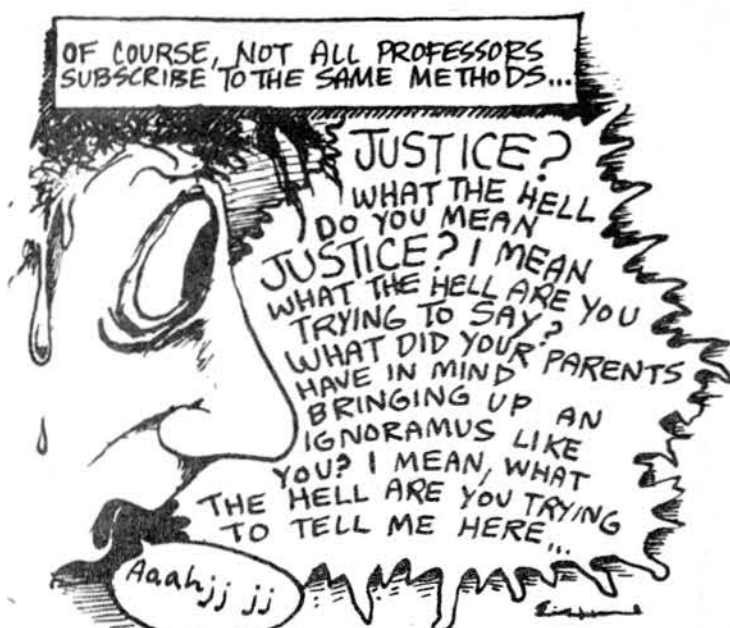
firms interview at Michigan because they are interested in the students. If students show concern over whether a particular firm has contributed to the Employer Match Fund, that firm is more likely to give.

Not every student can or wants to do public interest work. But this fall, every student can support his or her classmates who do choose the public interest alternative. Ask the firms you clerked for last summer and, if you feel comfortable, ask the firms you are interviewing with this season: "Have you given to the Student Funded Fellowships' Employer Match Fund?"

If further information would be useful, contact any of us and read the copy of the SFF solicitation letter posted outside the Placement Office

For the Student Funded Fellowships Program:

Jill De La Hunt
Bob Schiff
Laura Tilly
Steve Wolock



Eric Hard

NEXT . . .

*My grades? Oh nothing interesting,
But how much do you weigh?
And what's it cost—just curious—
For such a suave toupee?*

*Where I'll be ten years from now?
It's really hard to tell.
I s'pose by then my liver
Will be pretty shot to hell,*

*But I find living meal to meal
Has so much more romance
Than fretting over who I'll be
A decade in advance.*

*My greatest strength? I'd have to say
My tact and sense of timing;
My monkey-like agility at
East coast social climbing.*

*Weaknesses? I work too hard,
Just don't know how to stop.
Serving clients day and night,
I'll work until I drop.*

*My area of expertise?
I've known since I was three—
My mother, too, can verify
That fraud's my cup of tea.*

*But fraud's not all I'm into—I
Get off on "closing deals,"
Corporate mergers turn me on
And tax law spins my wheels.*

*I know you hate to cut me off,
You've so enjoyed our chat,
You wished it could've lasted more
Than twenty minutes flat.*

*Anything I'd like to add?
To add to what, pray tell?
You've no idea who's in my suit,
But see ya, it's been swell.*

—Elissa Tonkin

Summer Starters Not Genetically Inferior

by J. Kachen Kimmell

Several skittish fall starters were heatedly debating at the first LSSS cocktail party. The question: Do summer starters have higher GPA's, a better chance for Law Review, and more exciting sex lives than fall starters? Every year, without fail, the summer starter issue is hashed and rehashed again. Are summer and fall starters different in any way? Are the members of either group older, wiser, stupider, saner? The debate goes on...

Certainly most believe summer starters usually are older, many entering law school after employment of some sort or graduate studies. Summer starters are said to be the diversity pool; academic credentials to one side, they are here to "round out" the class. According to Allan Stillwagon, Dean of Admissions, however, "The truth is that they [summer starters] are just like all the other swell folks in the other sections...Summer starters and fall starters have had virtually the same LSAT scores and the same grades, every time I've had occasion to look. They are not older, not more experienced in the workplace, not more likely to be married, not more likely to have a graduate degree."

Stillwagon explained why some applicants receive offers for Fall only, others for Summer only, and others for both. "People who are holding offers of admission from our major competitors have a slightly better chance of receiving an offer to either the summer or fall sessions, but the most important considerations for choosing summer starters are whether they've asked for summer or fall, and whether we have room. If the applicant has completed a bachelor's or graduate degree, an offer of "summer only" might result, so that someone who won't graduate until June from another school can be given a useful offer."

The Differences

There are, however, still some differences between summer and fall starters that are readily apparent. There are usually a few more Michigan residents than non-residents beginning in May because the University of Michigan school year ends earlier than many other "feeder" schools. Obviously, summer starters have the opportunity to graduate a semester early if they choose. This year's summer starters also took a one credit Legal Process course that fall starters will not be required to take. According to Edward Cooper, Associate Dean, the course is offered infrequently because scheduling faculty who are interested in teaching it can be difficult. This summer was the first time that the course has been offered since 1978.

Dean Stillwagon also added, "I don't know why the summer class feels itself to be so special. Twenty years ago, we might have recognized the cheerful camaraderie of the Salon des Refusees. But now they're academically indistinguishable (or very slightly stronger), so I'd suggest that Ann Arbor is particularly nice in the summer, faculty are relaxed, the school is less crowded, and the anxiety of placement interviewing isn't rolling like green fog through the corridors."

Also, approximately 100 of the employers that interview through the Placement Office are willing to interview summer starters during the Fall term, while other first year's have to wait until Winter term. A few fall starters resent this, but none of those interviewed by the RG would have started in the summer for the fall job hunt. As one fall starter commented, "People who have been out working should get a break anyway."

Stillwagon may be suggesting differences between fall starters and summer starters that aren't quite so readily apparent. Perhaps summer starters spend their first eleven weeks in Ann Arbor thinking that the University of Michigan Law School operates for their sole benefit. (Doesn't it?) No undergraduates in the Reading Room during the summer...everyone has a carrel. Nice. Relaxed. That experience may be the source of the "mellow

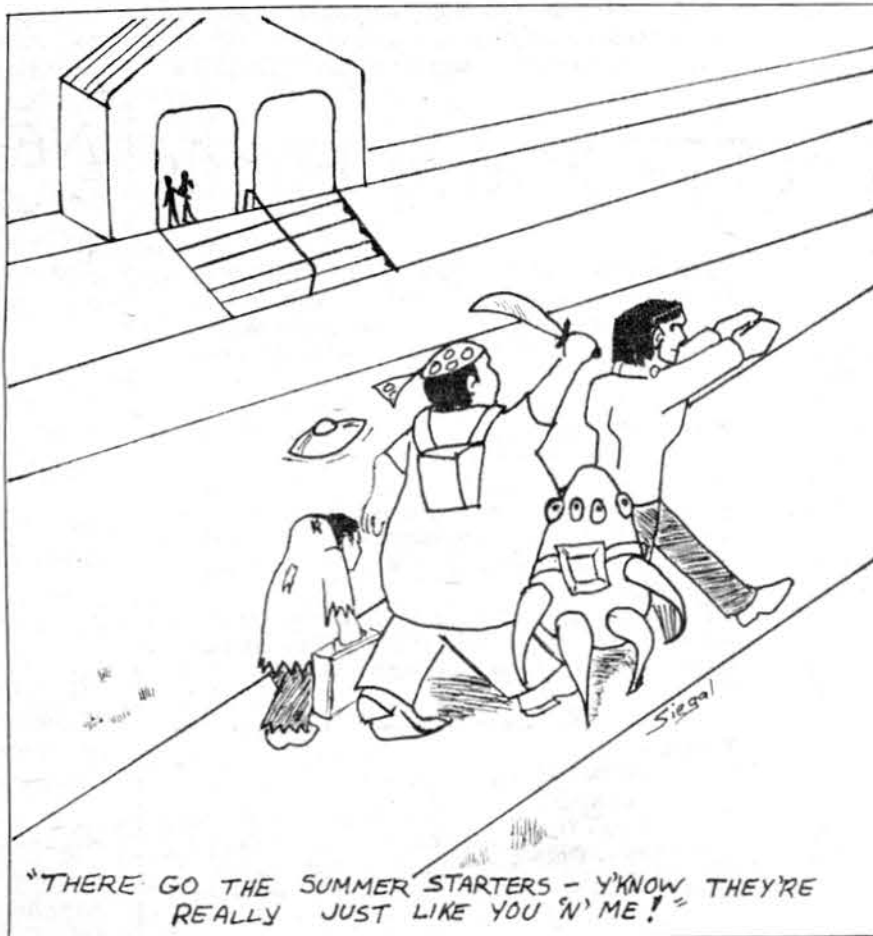
summer starter" stereotype. Can summer starters really relate to Turow and IL?

The activities that summer starters engage in during their first semester of law school are somewhat different than their fall counterparts as well. "It seems like we went to the lake every week-end," mused summer starter Bob Bach, remembering a simpler life. Softball was the norm every Thursday afternoon, and once, the faculty challenged students to a rousing game. Starting law school in the summer was "more fun than a manned lunar landing," according to Greg Burton, another member of the summer class, and most summer starters appear to agree.

A very unofficial survey showed that while approximately 25% of the summer class originally indicated a preference for fall term when they applied to Michigan, all are glad that they came to Ann Arbor in May instead of August.

Fall starters seem to have mixed feelings about summer starters. Many of them couldn't care less about the whole summer starter question. Rob Gordon, a member of the fall class, gave the most common fall starter reaction. "I wanted to start in the Fall so I could work in the summer and make some money." Stillwagon said several people didn't think they could afford to start school in May, so this year's summer class started with only 80 students instead of 90-94. The Fall sections are consequently larger by a few, so that the size of the first-year class remained constant. Wyc Grousebeck was another of the many students who requested to start law school in the fall for personal reasons. "Coming right out of undergrad," he commented, "you can't start in the summer as easily. I wouldn't have come in the summer anyway."

As for the similarities...summer starters do not take fewer courses than other first years. Summer starters are scheduled for a mandatory 16 credits this semester; fall starters are scheduled for 17. Summer starters may have an advantage over fall starters because they know that the Supreme Court of New York is not the supreme court of New York. They have already located the Ann Arbor bars and have fully researched the Happy Hours.



DICKIE, McCAMEY & CHILCOTE

of Pittsburgh, Pennsylvania

is pleased to announce that it will be interviewing interested second year students on

Tuesday, October 25

for positions with the firm during summer, 1984

Students should submit interview request cards and sign up in the Placement Office today.

JACOBS, WILLIAMS & MONTGOMERY, Ltd.

of Chicago, Illinois

is pleased to announce that it will be interviewing interested second year students on

Wednesday, October 26

for positions with the firm during summer, 1984

Our firm consists of 40 attorneys and specializes in civil litigation.

Students should submit interview request cards and sign up in the Placement Office today.

Res Gestae

HECHT, BUCHANAN & CHENEY

of Grand Rapids, Michigan

*is pleased to announce that it will be interviewing
interested 2nd and 3rd year students on*

Wednesday, October 19

*for clerk positions during summer, 1984
and possible associate positions thereafter*

We are seeking only those students who have outstanding records in Moot Court and Trial Practice classes. Our litigation department specializes in wrongful death and personal injury plaintiff and defense cases.

Students' interview request cards are due in the Placement Office immediately.

KINGS COUNTY OFFICE Of The DISTRICT ATTORNEY

Brooklyn, New York

*is pleased to announce that it will be interviewing
interested 2nd and 3rd year students on*

Wednesday, November 2

*for positions as Assistant District Attorneys beginning in
August 1984 and for legal internships in the summer of 1984*

Students' interview request cards are due in the Placement Office by October 17.

KARR, TUTTLE, KOCH, CAMPBELL, MAWER & MORROW

of Seattle, Washington

*is pleased to announce that it will be interviewing
interested second year students on*

Monday, October 31

for positions with the firm during summer, 1984

Students' interview request cards are due in the Placement Office by October 17.

KRIEG / DeVAULT ALEXANDER & CAPEHART

of Indianapolis, Indiana

*is pleased to announce that it will be interviewing
interested 2nd and 3rd year students on*

Monday, October 24

for positions with the firm during summer, 1984

Students' interview request cards are due in the Placement Office by October 10.

HAIGHT, DICKSON, BROWN & BONESTEEL

of Santa Monica, California

*is pleased to announce that it will be interviewing
interested 2nd and 3rd year students on*

Thursday, October 27

for positions with the firm during summer, 1984

Students' interview request cards are due in the Placement Office immediately.

LIONEL SAWYER & COLLINS

of Las Vegas, Nevada

*is pleased to announce that it will be interviewing
interested second and third year students on*

Tuesday, October 25, 1983

for associate and summer associate positions with the firm.

Students' interview request cards are due in the Placement Office by October 10.

ARTHUR ANDERSEN & Co.

*will be interviewing all 3rd year students
interested in careers in tax practice on*

Thursday, October 27

*Our firm is in an international public accounting firm. We practice
in most phases of taxation, including compliance, planning, and
negotiation with taxing authorities.*

*The Firm will be hosting a cocktail party in the Lawyers Club Lounge
on*

Monday, October 17

from 4 to 6 p.m. All are cordially invited to attend.

Students' interview request cards are due in the Placement Office immediately.

McNEES, WALLACE & NURICK

of Harrisburg, Pennsylvania

*will be interviewing 2nd and 3rd year students
for 1984 positions on*

Thursday, November 3, 1983

Our firm, the largest in Pennsylvania outside of Philadelphia and Pittsburgh, has 51 attorneys and is located in the state capital. We offer the opportunity to engage in a sophisticated law practice while enjoying a less hectic pace and lifestyle than that experienced in the larger metropolitan areas. Please see our resume for more information.

Students' interview request cards are due in the Placement Office by October 17.

Feature

A Survival Guide For First-Years

By Michael R. McCarthy

No doubt there will be lots of people giving you sage advice on how to successfully complete your first year of law school. My advice regarding all that advice is to take it or leave it as you wish. Practically speaking, none of it matters.

Below, however, is some essential information that, I believe, will more intimately affect the quality of your first year than any of the usual academic bromides.

1. Leave class immediately after its completion.

If you don't hurry, all the couches in the lounge will fill up before you can get a good spot. You will, therefore, not only be deprived of your essential between-classes nap, but will undoubtedly be sucked into a conversation about burden of proof.

I do urge caution, however, the couches are vinyl. They, therefore, do not absorb any drool that might run out of your mouth as you doze. So carry a hanky. Once the world has seen you lying face-down in a puddle of your own spit, it will never take you seriously again.

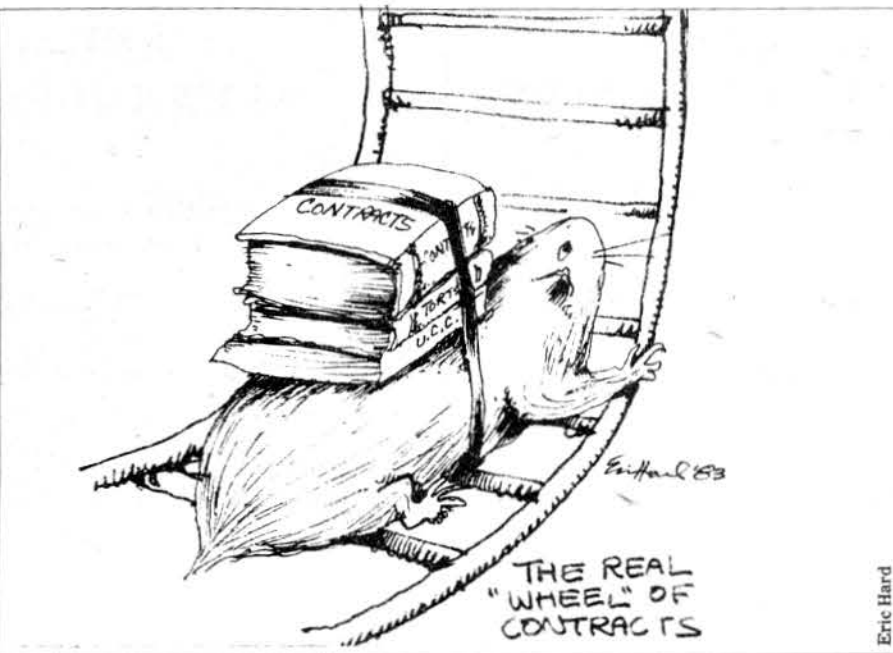
2. Choose a favorite washroom.

Do it early, but shop around a little before settling on any particular one. There are lots of possibilities for people of varying tastes. My personal favorite is in the basement corridor across from the phone booths. It has a real serious bathroom atmosphere — you know, a dozen or so stalls, the kind of real offensive graffiti that makes you wonder about the human race and law students in particular, that brown mold that invades from the ceiling downward, and handwashers of the fountain type you see only in baseball parks and bus terminals. It has great camaraderie as well. Oftentimes, for instance, "Out of Order" signs are scribbled on paper towels and impaled on urinal handles to warn the unwary. People do care.

The washrooms in the new library are nice looking, but the blue tile was obviously put in to frustrate all graffiti

writers — and it succeeds. The place lacks soul. In addition, the urinal invariably squirts a little water onto your shoe when it is flushed. I'm always afraid everyone will figure I had an accident.

I don't know much about the women's washrooms. But I usually look in the one in the basement of legal research when I walk by. Last year it had a real comfortable looking chair in there — perfect for sitting and chewing the fat. This year I noticed it has a table and a few chairs. You could easily use it to play bridge or whatever. So, if I were a woman, I suppose I'd go there.



3. Don't roughhouse in the building or run in the halls.

Last year several people ended up crying.

4. Nip those pesky professors in the bud.

Faculty members are always bugging you to get together with them. If you encourage them, they never let up. Believe me, I know!

Last year, I made the mistake of accepting an invitation to Dean San-

dalow's for dinner.

"You know, nothing fancy," he said. "Good food, good wine, good conversation. How 'bout it, Mike?"

"Well, Dean Sandalow..."

"Please, Mike... my friends call me 'Skippy'..."

"Well, Skippy, Cathleen and I really just thought we'd sit around and read that night. Besides, I already told 'Thumper'..."

"Thumper Kauper...?"

"Right... I already told Thumper we couldn't go to his house that night, so..."

"Don't you worry about Kauper. I'll

"Baseline" McCree. To make matters worse, just as we were about to wriggle free, in walks "J.P." [Stevens]. He wants my advice on gender-based discrimination in pension plans, so, of course, we had to hang around even later.

Now it's every couple of weeks Skippy is on the phone wanting to do this or that. I know he's lonely, but a guy can only take so much.

5. Settle on a favorite candy machine selection.

My favorite has forever been "Chuckles". But they present the eternal dilemma—what to do with the licorice one. If you choose "Chuckles" too, call me. I made friends with someone who is saving up licorice ones till he has enough to pave his driveway.

6. Don't have a sexual relationship.

No one else is. Why should you be the first?

7. When you study, don't forget where you are.

There is nothing more unsettling to me than seeing a law student hard at the books, absent-mindedly picking a blemish on the back of his neck.

8. Pick one TV show you can't miss.

I unwind with David Letterman. Letterman himself I can take or leave. But if you watch the show on Channel 13 out of Toledo, you get to see, starting about 1:00 a.m., commercials for "Caesar's Showplace." These advertisements always make me forget quasi in rem jurisdiction—or quasi anything, for that matter—and send me to bed in a sardonic mood.

9. 12 So. 2d 305

10. Have some pride.

Don't crowd around the classroom door so that you can claim your middle row, center seat. This is a sure sign of someone who has lost perspective. Better you should amble in late and scream, "Hey Thumper. Ain't no chairs left." This is a foolproof way to endear yourself to all within earshot.

Law in the Raw

compiled by Mike Woronoff and Laura Kelsey Rhodes

Aw, C'mon Guys

The Washington Post recently ran an article entitled "The Traumas of Not Making Law Partner" including interviews with lawyers on both sides of the fence. One interviewee was Harry Cole, a former associate at Arent, Fox, Kintner, Flotkin & Kahn (D.C.), who was passed over for partner in 1981, then taken in as a partner in a medium-sized D.C. firm.

Cole acknowledged that the Arent, Fox rejection still hurts: "In some eyes, you're always damaged goods. You're like Roger Maris with an asterisk beside your name in the record books. Sure, he hit all those homers but remember, fans, it was a long season. If you don't make partner, you're in the same situation. You'll always have an asterisk beside your name."

From The Washington Post, September 11, 1983

Quote of the Week

"There is a certain exhilarating feeling about walking down the middle of the reading room [seen by hundreds of undergraduate eyes] carrying a pizza and two cokes. It's similar to trying on a condom for the first time."

Unnamed 3rd-year student,
October 9, 1983

My Little Runaway

After a year of bitter divorce proceedings, a judge has awarded a childless couple joint custody of their dog in accordance with California's child custody laws.

"Is our hate so strong that we are going to use this little dog to drive a final rusty nail in the heart of the other person?" Judge John Woolsey asked Rex and Judi Wheatland before his final ruling.

Rex had offered Judi \$20,000 for her "share" of Runaway, a 2-year-old mongrel bitch. According to Rex, Runaway "likes lobster, scallops, steaks and salad with Roquefort dressing." Judi spurned the offer, though she had only \$15 in her bank account, saying, "It's not negotiable."

To help his case, Rex flew his sister in from Paris to testify about the pooch. He also brought the dog's toys to court: a rubber hamburger, a rubber hotdog and a blown-up portrait of a dog.

Judge Woolley ruled that as a child substitute the dog should be jointly owned and shared by the Wheatlands, and that neither owner could take Runaway out of the state without written permission from the other.

From The New York Times, September 9, 1983

The Contest

For all of you who have always wanted to contribute to Law in the Raw—now's your chance. Eligibility: L.I.T.R. (pronounced "litter") is soliciting entries from all first and second year students. Summer starters may not apply. (Tough, but you're not a suspect class yet.) Only faculty members who are teaching from their own recently-revised casebooks may enter this competition.

Rules:

1. Entries may be any length on any size paper, but must be accompanied by the word "ARISTOCRACY" hand-printed in block letters on a 3" x 5" card.

2. Submissions must comprise a complete L.I.T.R. entry; Quote of the Week entries will not be accepted.

3. Some purchase necessary.

Next Week—more rules, including:

1. A deadline.

2. How to "score" on (PSAT score plus S.S. number x weight).

3. How to "humor-boost" on (not an option for faculty members for obvious reasons).

The Compilers-in-Chief