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1975

March 28, 1975

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RES GESTAE



Docket

WRITING & ADVOCACY PROGRAM 1975-76 SENIOR JUDGESHIPS

Applications are now being accepted for Senior Judgeships in the 1975-76 Writing and Advocacy Program. Any second-year student interested in applying should schedule an appointment with Assistant Dean Borgsdorf. Applications may be obtained and appointments made in room 318 Hutchins Hall.

SECTION 4 PARTY

There will be a party Saturday night, 3/29, beginning at 8:00, for all members of, professors of, case club judges of, spouses of members of, and friends of Section 4, summer starters 1974. Keg provided, BYO anything else.

Location is: Tower Plaza, Apt. 19A.

IM TRACK MEET

The Intramural indoor track meet will be held April 2 beginning at 6:30 PM. Rosters of teams and names of individuals wishing to be placed on teams should be delivered to the RG office by 5:00 PM next Tuesday. Individual entries should be accompanied by a more or less accurate guess of what the runner can do for a 440 and a 220.

FEDERAL DCT SESSION TO BE HELD HERE

The Federal District Court for the Eastern District of Michigan will hold a session of Court at the Law School on Monday, April 7. The court, per Judge Feikens, will hear arguments on several motions in the second floor courtroom, starting at 9:00. Details about the motions and further info will appear in next week's RG. (presented thru the efforts of the LSSS Speakers Committee).

RALLY SCHEDULED TO SUPPORT PETITIONS

During the last two weeks of February, disadvantaged groups of University of Michigan law students--Women, Blacks, La Raza--presented their grievances to the faculty. Now, over a month later, we are still waiting for a substantive response from them.

Monday, March 31, at 12:00 noon, we are holding a rally in front of room 100, Hutchins Hall. We invite the faculty and student body to attend to express your views on how the demands of these groups are being met.

The Coalition of:

Black Law Students
Women Law Students
La Raza
Lawyers Guild

LAW SCHOOL FILM SERIES

On Friday, March 28, the Law School Film Series will present My Little Chickadee starring W.C. Fields and Mae West. Three Warner Bros. cartoons will also be shown. Show times are 7 and 9 p.m. in Room 100, Hutchins Hall. Admission is free for law students, \$1.00 for non-law.

R.G. STAFF
FENECH, PAGANO, ZELIFF
KIBURZ, SEIGEL, KAMISAR,
LIVORINE, KRIEGER, MAROD
LAURENCE, THORNBLOTH, FORD,
DOG, VINYARD, DOROTHY JEAN
BLAIR, SAYLOR

ALTERNATIVE

eThiX

On Saturday, April 5, 1975, an Alternative Practices Conference will be held at the University of Michigan Law School in Hutchins Hall, at the corner of State and Monroe in Ann Arbor. The conference is being presented by Section 5, in cooperation with the Law School Student Senate and the Law School Administration. It will run from 10:00 a.m. through the afternoon.

Our purpose in putting on this conference is to help provide the threads with which we, as law students, can tie together our goals of social justice with our chosen profession. The conference will be made up of panels and workshops on various types of legal practices. Lawyers with practices in such areas as environmental law, women's rights, and mental health law, and who operate in such contexts as foundation supported public interest groups, legal collectives, and governmental agencies, will be participating.

Approximately 30 lawyers will participate, including representatives from Michigan Migrant Legal Services, Southern Poverty Law Center, ACLU, Michigan Attorney General's Office, People's Law Office in Chicago, and Saginaw Student Rights Center.

We cordially invite our fellow law students to join us for this conference. There will be no charge for participation, and child care will be available.

TENTATIVE LIST OF WORKSHOPS

Conference on Alternative Practices of Law, U of M Law School, Saturday, April 5, 1975, 9:30 a. m. - 6:00 p.m.

Each workshop will be given twice during the day. Participants in the conference will be able to attend five or six different if they wish.

Private practice

Bob Ponte, Chelsea, Michigan
Ken Mogill, Detroit
Kingsley Clark, Chicago
David Baker Lewis, Detroit

(ALTER P. 4)

Ethics Committee Clarifies Restrictions on Legal Services Offices

The American Bar Association's Standing Committee on Ethics and Professional Responsibility has clarified ethics restrictions on legal services offices. In its Formal Opinion 334 dated August 10, 1974, the committee re-emphasized that every lawyer is obligated to provide free legal services to the poor. The opinion refers to "the importance of all lawyers striving to make legal services available within the bounds of professional responsibility."

The committee said that individual lawyers have not been able to meet the need for free legal services to the poor, which has resulted in the establishment of programs such as legal aid offices and lawyer referral services. Noting that the new Legal Services Corporation Act of 1974 will provide funds for legal services offices, the committee said it was timely and proper to issue a new formal opinion, revising and clarifying the ABA's Code of Professional Responsibility as it affects legal services offices.

The opinion, which interprets the ABA Code of Professional Responsibility, covers publicity, restrictions on lawyers' activities as they affect independence of professional judgment, and preservation of confidences and secrets.

The committee held that "there is nothing improper" about a lawyer's working with a legal services office that publicizes its activities in accordance with provisions of the code. Primary restraint on this publicity is that the legal service office cannot identify individual lawyers working in its behalf.

Such an office can, however, use publicity "reasonably calculated" to educate persons about their legal rights and responsibilities, to spread knowledge of the availability of legal services generally, and to inform others of the activities of a legal services program.

A legal services office staff lawyer may advise a client of the client's right to initiate litigation, the opinion added.

A legal aid society can, on request, provide the media with information on suits filed by staff lawyers. The lawyers may not be "extolled" for their role in the case, however.

The formal opinion also provides guidelines on the authority a legal service agency's governing board has over staff lawyers representing agency clients. The governing board may restrict the activities of staff lawyers "only to the extent necessary to allocate fairly and reasonably the resources of the office and establish proper priorities in the interest of making maximum legal services available to the indigent."

The ethics committee upheld previous opinions that grant governing boards authority to establish broad policy matters, including the financial and similar criteria of eligible clients, selection of available services, setting priorities in allocating resources and manpower, determining the kinds of cases staff law-

(ALTER)

Collectives

Martha Bergmark, Hattisburg, Mississippi
Jeff Haas, Chicago (People's Law Office)
Bob Dinges, Detroit

Women's rights

Clarice Jobes, Detroit
Jean King, Ann Arbor
Sybille Fritzsche, Chicago (ACLU)

Consumers' rights

Margaret Freeston, Washington (Consumer Product Safety Commission)
Alan Singer, Washington (Public Citizen Litigation Group)

Environmental law

Charles Alpert, Lansing (Attorney General's Office)
Michael Dettmer, Traverse City
Roger Conner, Grand Rapids (Western Michigan Environmental Action)
Professor Joseph Sax, (The University of Michigan Law School)

Legal services; poor people's rights

Pamela Horowitz, Montgomery, Alabama (Southern Poverty Law Center)
Roger Chard, Ann Arbor (Legal Aid)
Rick Fefferman, Berrien Springs, Michigan (Michigan Migrant Legal Assistance)
Richard Skutt, Detroit (Legal Aid)
Matt Piers, Chicago (Legal Aid)
William James, Sault Ste. Marie, Michigan (Upper Peninsula Legal Services)

Labor law

Bob Dinges, Detroit
Martha Bergmark, Hattiesberg, Mississippi
Jay Whitman, Detroit (UAW)
Kingsley Clark, Chicago (National Lawyers Guild Labor Project)
Margo Nichols, Detroit

Public Interest foundations

Charles Halpern, Washington (Council for Public Interest Law)
Marvin Schwedel, Farmington Hills, Michigan (Common Cause)
Sybille Fritzsche, Chicago (ACLU)

Criminal law

George Alexander, Ann Arbor
Ken Mogill, Detroit
Neal Bush, Detroit
Jeff Haas, Chicago
Renee Slegan, Detroit

Prisoners' rights

Jim Neuhard, Detroit (State Appellate Defender)
Pamela Horowitz, Montgomery, Alabama (Southern Poverty Law Center)
Martha Bergmark, Hattiesberg, Mississippi representative from Women Against Prisons

Community Organizing

Tom Hickey, Little Rock, Arkansas (ACORN)
David Baker Lewis, Detroit
Matt Piers, Chicago (Food Action & Community Training)

Young people's/Gay people's rights

Junius Williams, Ann Arbor (Saginaw Students Rights Center)
Paul Raymond, Detroit (Federal Defenders Office)
Jim Zeman, Detroit (Wayne County Juvenile Defenders)
Diana Autin, Ann Arbor (Youth Liberation)



Mental Health Law

Larry Gilbert, Ann Arbor (Mental Health Bar project)
Joel Welber, Ann Arbor
Charles Halpern, Washington, D. C. (Council for Public Interest Law)

Government

Jay Brant, Detroit (City Council, Division of Research and Analysis)
Charles Alpert, Lansing (Attorney's General's Office)
Margaret Freeston, Washington, D.C. (Consumer Product Safety Commission)

fried fford

VOTE FOR ME OR I'LL PUNCH YOUR LIGHTS OUT

By Stan Ford

I'm tossing my frayed hat into the Law School Presidential ring. First I demand a recount! Second, although the election is over, vote for me anyway by putting up fake notices on the bulletin board. My campaign managers Yellow and Pillsbury Dog will pay cash for my election. My running mate is a local eighthgrader; after scoping out the competition I realized I needed Eighth Grade thinking to take this seriously.

In any case, if elected I promise to cut off Rod Liverene's ear if he writes any more poetry (2) To put out my eyes if I read any more of it (3) To send Rod to Mexico (4) To send me to Mexico.

I also promise to find out where the new Dean of Admissions comes from. He's no Negro. He's no Arab, Jew, Chicano or Woman. He's not even Irish. He's the Whitest most Anglo-Saxon dude since Eliot Richardson.... the man looks like he should have squash racquet welded to his arm. He is soooo white he even scares me. They must have searched far and wide to get the best sort of "lawyer" for scaring minorities off. And I thought Volleyball Jane was bad.

If elected I will also personally urinate on and then burn the law school lounge --- that pathetic ill lit, uncomfortably post-modern plastic death food dispensary. It will be fired, preferably with Case and Comment, the uilest, example of capitalistic socialization I have ever had the displeasure to read. Have you found all the heirs.

As your President I would move at once to have the entire faculty bronzed and given to local needy youth as Easter presents. I would require Allen Ginzberg's Howl to be read aloud at graduation and would, if annointed by the people, sponsor free animal sex acts on the steps of the library.

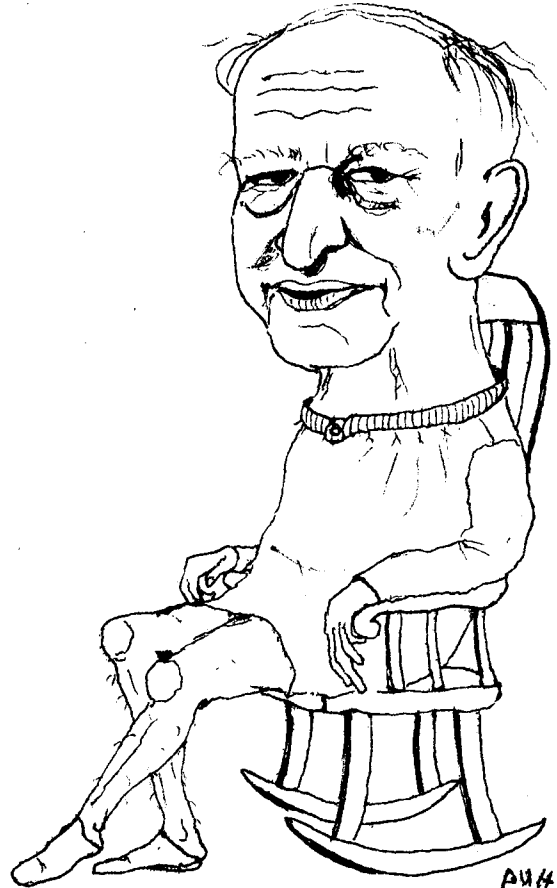
A firm believer in the positive power of rationality I would give our library (the fourth largest in the country) to the

(FORD P. 9)

BISHOP

SECOND LECTURE HONORING PROFESSOR BISHOP TO BE HELD TONIGHT

Tonight, Friday, March 28, the International Law Society will present the second in the series of lectures honoring Professor Bishop, at 6:45 p.m. in the Main Lounge of the Lawyer's Club. Speakers are Dr. Majorie



Whiteman and Professor Leo Gross. For many years Dr. Whitemen served as Assistant Legal Adviser to the U.S. Department of State and as editor of the Whiteman Digest of International Law from 1945 to 1970. She will speak on "Prospects for International Law in the Year 2000". Professor Gross has been serving as Professor of International Law at the Fletcher School of Law & Diplomacy, and is currently teaching at Hastings College of Law in San Francisco. His topic will be "The Future of the U.N. General Assembly as a Law-Making Body".

Both speakers are eminent authorities in

5

(BISHOP P. 16)

LSSS ELECTION Results
March 26, 1975

PRESIDENT (Circle one)

W. James Ellison 97

X Pamela S. Hyde 169

Bruce Hiler 157

George Vinyard 159

TREASURER (Circle one)

Otila A. Saenz 112

X Bertie N. Butts 226

Maryel A. Norris 129

Ed Marod 101

SECRETARY (Circle one)

X Phyllis C. Rozof

VICE PRESIDENT (Circle one)

Ross Miller 80

Frank H. Stewart 192

X Dave Dawson 227

BOARD OF GOVERNORS (Circle one)

Stuart Jones 88

James Robinson 95

X Kathy Krieger 151

Jerry Jenkins 48

John Hugger 123

MEMBER-AT-LARGE (Circle any seven. You may vote for any of the candidates listed below regardless of whom you voted for above.)

4 Sharon Williams 179

Ed Marod 150

John Hugger 100

2 George Vinyard 185

5 Valorie Anderson 172

Kendell Williams 156

Maryel A. Norris 158

Jerry Jenkins 94

W. James Ellison 151

Sec. Phyllis C. Rozof 53

A. Kay Brown 133

Ross Miller 112

James Robinson 116

V. Pres. Dave Dawson 197

7 Barbara Harris 162

Ned Othman 55

6 Otila A. Saenz 162

Bd. Gov. Kathy Krieger 160

3 Bruce Hiler 182

Frank H. Stewart 128

Kathryn Sedo 152

Treas Bertie Butts 195

Stuart Jones 99

Pres. Pamela Hyde 201

1 Paul Ruschmann 227

6

3

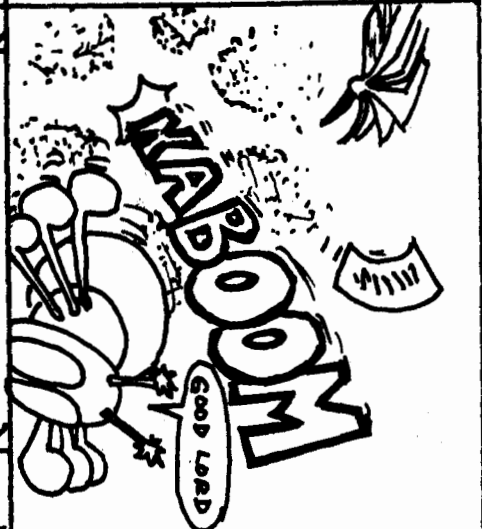
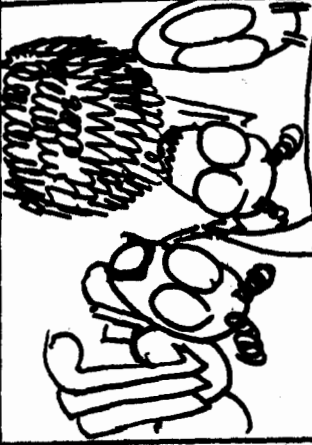
ARNT ANT

THEIR DYNAMITE DID

THEY'RE BURNED TO A CRISP! I WONDER WHAT COULD HAVE CAUSED IT?



DO YOU HAVE TO ASK? PERHAPS YOU SHOULD RE-READ SPENCER'S CASE, ANT.



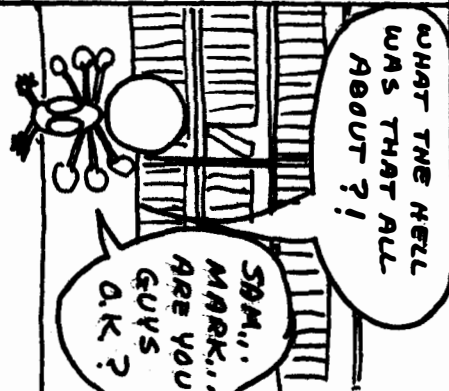
WONDER NO LONGER, INSECT, IT WAS I. [ME?] AND MY HANDY, DANDY LITTLE ULTIMATE WEAPON!



IN THE ALTERNATIVE, YOU COULD TAKE ANOTHER LOOK AT YOUR INCINERATED FRIENDS, AND JUST TAKE MY WORD FOR IT

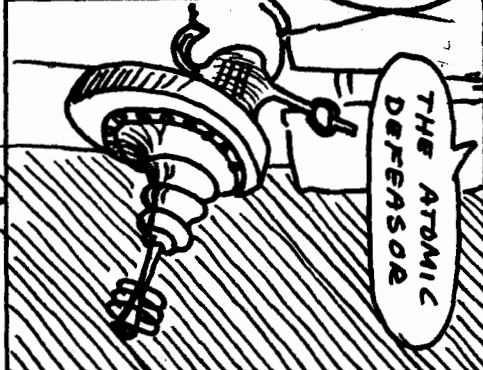


YOU GOT A LIGHT?



WHAT THE HELL WAS THAT ALL ABOUT?!

SOM... MARK... ARE YOU GUYS O.K.?

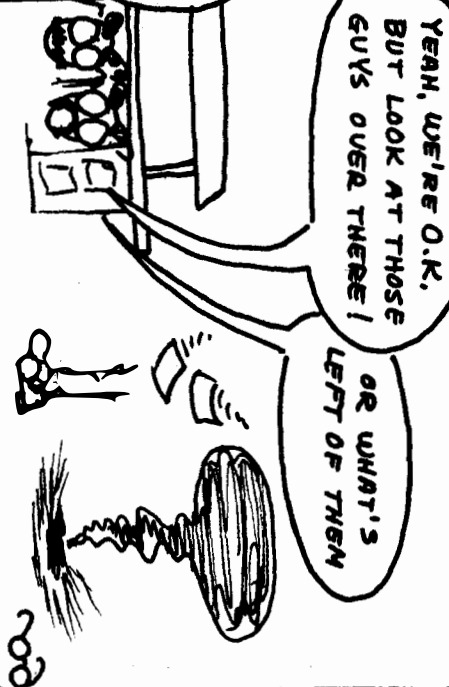


THE ATOMIC DEFENSE

HISTORICALLY SPEAKING, THIS WEAPON IS PERFECT IN ITS SYMMETRY. NOT TO MENTION THAT IT'S CONSISTENT WITH THE RULE IN SPENCER'S CASE!



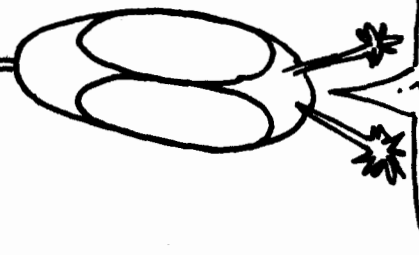
I'LL TELL YOU SOMETHING ANT, I'M RIGHTLY PROUD OF THIS LITTLE TOOL. IT'S THE MOST EFFECTIVE WEAPON SINCE LAW SCHOOL EXAMS.



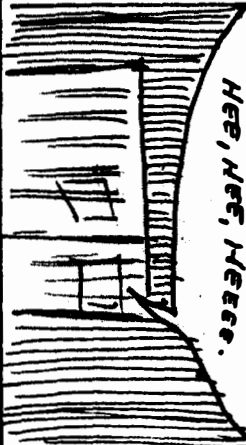
YEAH, WE'RE O.K. BUT LOOK AT THOSE GUYS OVER THERE!

OR WHAT'S LEFT OF THEM

IS THAT POSSIBLE?

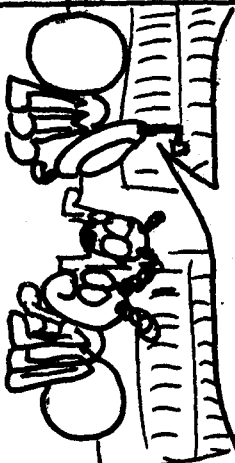


AND I'LL TELL YOU SOMETHING ELSE, BEFORE LONG I'LL HAVE UNDISPUTED USUFRUCTORY RIGHTS TO THIS WHOLE PLACE! HEE, HEE, HEE.



CONTINUED... NEXT PAGE

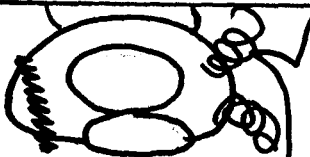
JESUS CHRIST, YOU GUYS, WHAT ARE WE GONNA DO? I HAVE ENOUGH TROUBLE WITH CASE CLUB!



THERE'S ONLY ONE THING WE CAN DO, ARGIE. WE'VE GOT TO GET HELP

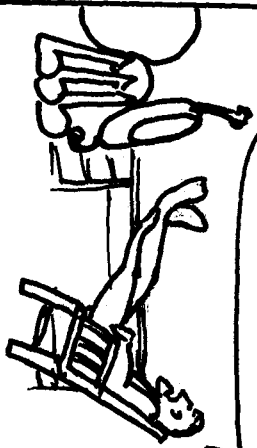


THAT'S RIGHT, ARG, WE HAVE TO GET BILL BALL AND RUDY BELL



LATER.

AN ATOMIC DEFENSOR? WOW, NO SHIT ARG? WHAT A FANTASTIC CONCEPT. DOES IT FOLLOW THE RULE IN SPENCER'S CASE?

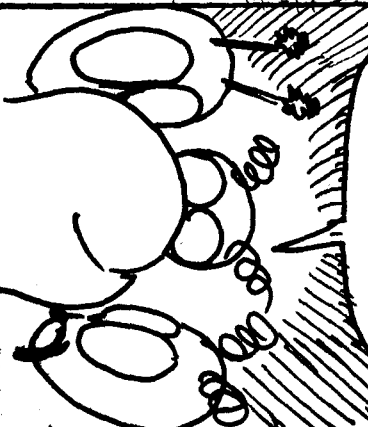


WELL, NO MATTER. HAVE YOU TALKED TO RUDY YET?



YOU HAVE? GOOD, I THINK WE CAN DO IT

NOW, HERE'S THE PLAN...



THE NEXT DAY, IN THE PRE DAWN STILLNESS OF THE LAW QUAD...



O.K. RUDY... THIS IS IT.



TWO DARING GUNNERS PREPARE TO FACE THE ATOMIC DEFENSOR

NICE TRY, VERDY, BUT NO TOUCH AND CONTROL



NO PAINKY, ETHER

TRY THIS TAUTOLOGY ON FOR SIZE, VERDY



THAT'S A LOW BLOW BALL, UGH

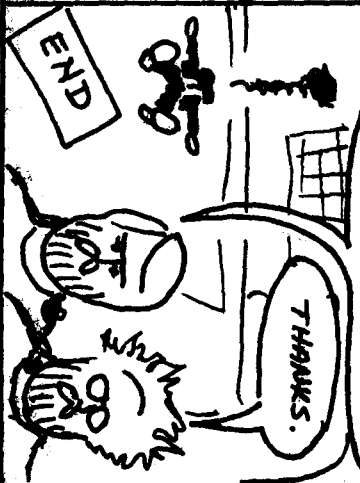
THIS IS IT VERDY, YOU'RE FINISHED. GET HIM, RUDY



ETHICS!



GOOD SHOT, RUDY, HE NEVER EXPECTED YOU TO USE IT.



THANKS.

END

ed m...

(FORD)

University of Detroit - maybe they could make some sense out of it.

Free lemonade in the drinking fountain, free love in the quad and free enema to anyone who asks questions about grading, finals, and their place in the class. My platform like myself is simple, vindictive and flat. Vote for me. I may not be your friend but if I fuck up enough then I can move to California and bodysurf until I turn brown and wrinkled, run for the Senate, get contact lenses, have my hair done, date movie stars, call cops by their first names, hire Dean Borgsdorf as my personal lackey so I can treat him rudely for a change, autograph baseballs, sabotage West Publishing, make lists, be national (oh good, yes), and meet my hero President Richard "The Whittier Weasel" Nixon.

(Next week: Don Wart: A Yankee Way to Knowledge)



Doc
Watson"

care

HOPE FOR LAW STUDENT PARENTS!!

By Gayle Horetski

Supporters of the proposed Ann Arbor Day Care Amendment have formed a non-partisan group called the DAY CARE COALITION to inform the community about the need for quality day care in Ann Arbor, and to urge a YES vote on the amendment during the April 7th election.

The urgent need for a day care in this community is apparent when one becomes aware of the fact that there are 3,400 children of working mothers alone (not counting student mothers) aged one to six in the Ann Arbor area.

There are only a little over 1,000 day care spaces in existence in the city. The situation has the most direct effect upon single parents, mostly mothers, many of whom must work to survive. Besides the children of working mothers, some 6,000 other youngsters live in this city, and could benefit from the positive experience of quality day care programs.

The proposed amendment would provide a minimum of 1.7% of the annual city budget to be spent for direct day care services, and would prevent the fluctuating availability of day care money dependent upon the make-up of the current city council. This past year, for example, the city did not allocate any revenue sharing money for day care. As a result, many of the existing facilities providing low-cost day care are in the greatest financial difficulty. Some may be forced to close unless relief is provided quickly.

The stipulations written into the amendment provide that (1) the money go for direct services only, (2) only non-profit services be eligible for funding, and (3) the needs of the low income residents of the city are met.

The DAY CARE COALITION envisions the money being used in a variety of ways: upgrading the quality of existing day care centers and homes, expanding the services now offered, creating additional day care facilities in neighborhoods which are most in need, and granting tuition subsidies to families in need.

(CARE P.10)

(Ex)

yers may accept, and the types of clients they may represent.

There is to be no interference with the lawyer-client relationship once the case has been assigned to an attorney, however, the opinion stated.

Legal aid staff attorneys may file class actions if these are required to assert the clients' rights effectively, and if the clients agree.

Discussion by the lawyer with an attorney advisory committee of the governing board prior to filing a class action would not violate the code. But the legal services agency's governing board could require prior approval of a senior lawyer in the agency in the filing of a class action. This latter action reverses an earlier ruling.

A legal services lawyer, the committee held, may not ~~disclose confidences or secrets of a client without the knowledgeable consent of the client.~~ But the board of directors of a legal services office can require staff lawyers to disclose information about clients and cases as is "reasonably necessary" to determine whether the board's policies are being carried out. The client must remain anonymous, and "the information sought must be reasonably required . . . for a legitimate purpose and not used to restrict the office's activities."

The committee went on to stress that "all lawyers should use their best efforts to avoid the imposition of any unreasonable and unjustified restraints upon the rendition of legal services by legal services offices for the benefit of the indigent and should seek to remove such restraints where they exist."

The entire text of this opinion may be obtained from the Standing Committee on Ethics and Professional Responsibility, American Bar Center, 1155 East Sixtieth Street, Chicago, Illinois 60637.



ABA STANDARDS FOR CRIMINAL JUSTICE

Title	Approved
Appellate Review of Sentences	1968
Criminal Appeals	1970
Discovery & Procedure Before Trial	1970
Electronic Surveillance	1971
Fair Trial & Free Press	1968
Function of Trial Judge	1972
Joinder & Severance	1968
Pleas of Guilty	1968
Post-Conviction Remedies	1968
Pretrial Release	1968
Probation	1970
Prosecution & Defense Functions	1971
Providing Defense Services	1968
Sentencing Alternatives & Procedures	1968
Speedy Trial	1968
Trial by Jury	1968
Urban Police Function	1973
Compilation with Index (Vol. 18)	1974

The Standards are available from ABA Circulation Department, 1155 East 60th Street, Chicago, Illinois 60637. Each volume costs \$3.25; the 18 volume set is \$42.00; bulk rates available. A special discount is available for Law Student Members of the Criminal Justice Section, \$30.00 for the full set.

(CARE)

This issue is vital not only for men and women who presently have children within the one to six year age bracket, but for persons expecting to become parents at some time in the future, and for anyone who cares about the quality of child care and education in this community. Support now could make our lives a little easier in the future.

Anyone interested in more information about the amendment, or in contributing time or funds to the activities of the DAY CARE COALITION is urged to contact one of the persons listed below:

- Flo Burke 668-7994
- Bess Manchester 665-0084
- Marsha Pumroy 769-0044

FRESHPEOPLE

ROLES

ADVENTURES IN CRIMINAL LAW WITH YALE KAMISCRAM

PROFESSOR KAMISCRAM: ...So, as I have brilliantly shown, statutes are nebulous and can be interpreted any way one chooses.

STUDENT: Pardon me sir, could you repeat that last statement?

PROFESSOR KAMISCRAM: Certainly. I said, statutes are always clear and unambiguous.

STUDENT: Excuse me, but I thought you just said--

PROFESSOR KAMISCRAM: I know what I said. I simply re-phrased it. I'm not here to discuss semantics.

STUDENT: Sir, I'm afraid--

PROFESSOR KAMISCRAM: Afraid? So am I. Why do you think I carry a gun? If Dudley had carried a gun he wouldn'ta had to throw anybody overboard. If you wanna talk gun control, I'm your boy.

STUDENT: Just because--

KAMISCRAM: Oh, causation? You wanna argue causation? A chews on B's ears. B gets rushed to the hospital. C, an intern, negligently puts a mustard pack on B's chest. B gets prickly heat and croaks. What result?

STUDENT: I thought we were talking about--

PROFESSOR KAMISCRAM: Answer the question! It's obvious. E did it!

STUDENT: But E wasn't in your hypothetical-and--

PROFESSOR KAMISCRAM: Ah, but E will be in next week's hypo. You obviously haven't read Chapter 17.

(BARF P. 14)

11

SEXUAL STEROTYPING

By Abigail Kelly

In their presentation to the faculty on February 21, the women students indicated that the prevalence of sexual stereotyping in the law school is an issue of serious concern. To illustrate the problem, Ms. Joyce Bihary sampled the last half of the 1973-74 exam question publication and observed that men and women played the following roles:

ROLES OF MEN

Appointee to the U.S. Supreme Court
Varsity athletes (1 black and 1 white)
Doctor
Leader of a political group of violent pacifists
Congressmen
Operator of a resort hotel
Negotiators for large franchise operations
Medical school professor
Senior partner in law firm
Buyers and sellers
Experienced ski jumper
Architect
Musician
Composer
Securities underwriter
Inventor
Gamblers
Members of narcotics ring
Bank president
Rapist
Restaurant owner
Lawyers
Board of directors
Corporate officers
Car salesmen
Physicist
Developer of machine to discover breast cancer
Engineer
Broker and dealer
Real estate broker
Big investor
President of savings and loan association
Patent attorney
Owner of gold mine
Developer of new housing corporation
Highway construction contractor

(TYPE P. 18)

(PART II)

say its good law. But it can be said that its law. And, of course law is law.

STUDENT: I fail to see--

PROFESSOR KAMISCRAM: Exactly! Law is blind. But justice wears contacts.

STUDENT: Could you elaborate on--

PROFESSOR KAMISCRAM: Proof! You want proof?! A and B are playing Russian roulette. A holds a gun against B's head. In this case culpability will not be contingent upon the mathematical probability of a shot being fired.

STUDENT: Then, if not, what is the standard?

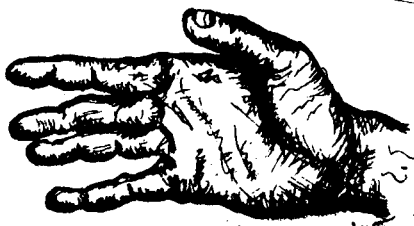
PROFESSOR KAMISCRAM: Can't help you there. I just read that from page 647 in La Fave and Scott. I must have left page 648 in my other pants. But if your really interested, I refer you to yesterday's Doonesbury.

STUDENT: I think--

PROFESSOR KAMISCRAM: Think, think, think. That's the problem. Too much thinking and not enough drinking. When I was a law student, just before a final-- I spent the whole night drinking Farvey Wallbangers and dismembering Barbie dolls. I walked into the exam room, waited 2½ hours, and threw up in my blue book. The prof wouldn't touch it. Gave me an A.

Respectfully submitted,

Larry Elder



The Right Hand

THE WEEKLY PENALTY BOX



"Too many lawyers come into court today with only a diploma to justify their claims to be advocates" - US Ct of Appeals, N. Y.

- someone gets a 10 minute major for that one.
but who ?

The University of Michigan Law School Bulletin offers excellence in "legal education"

- there's a shot on goal!
but, uh oh

Law Schools "do not hold themselves out to be lawyer schools" - Bayless Manning, former Dean of Stanford Univ. Law School

- another foolish penalty; and it's another 10 minute major
but I still thought I came to law school so I could become a lawyer

- 2 minutes for tripping
I mean, medical schools teach their students how to be doctors

- 2 minutes for boarding
oh I see, I go to law school so that after I get out, then I'll be allowed to make myself into a lawyer

- a shot on goal
Hell, if I'm smart enough to get into this law school, I ought to be able to teach myself to be a lawyer

- another shot on goal
Hell, if I'm smart enough to get into this law school, then I don't need this law school?

(I didn't say that, it must have been somebody else)

so this whole law school schtick is no more than another fraternity's hell week

trade

INTERNATIONAL LAW SOCIETY GROUP ATTENDS TRADE CONFERENCE

Recently, eight students from the University of Michigan Law School (J.D. and foreign graduate students) visited Washington, D.C., as participants in an international law program co-sponsored by the International Law Society of Georgetown University Law Center and the American Society of International Law.

Students from a number of law schools convened for the program, which centered on the Trade Reform Act of 1974. Visits were made to various organizations having an interest in the passage or enforcement of the legislation, including: the Export-Import Bank, the Senate Foreign Relations Committee, the House Ways and Means Committee, the Senate Finance Committee, the "World" Bank, the U.S. Chamber of Commerce, and law firms which are heavily involved with international law matters.

The participants were divided into four groups, each group visiting selected organizations. Group "B", for example, went to the U.S. Chamber of Commerce, the World Bank and the House Ways and Means Committee.

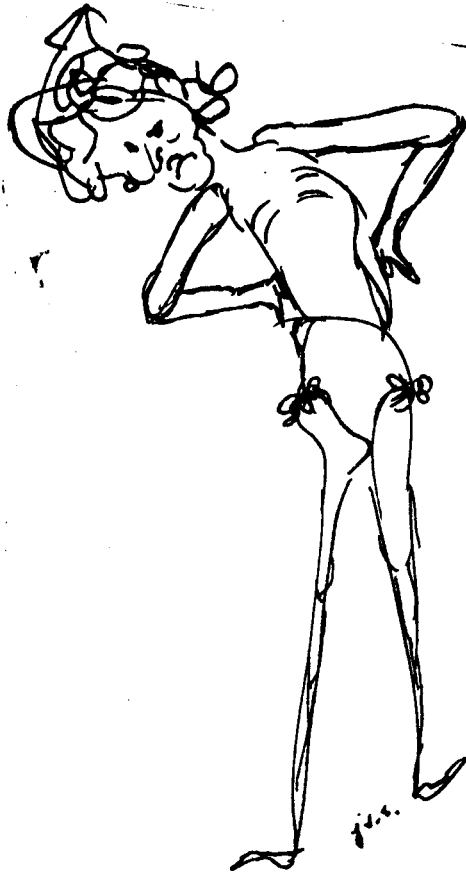
The U.S. Chamber of Commerce representative retraced the history of the Bill and the role by the Chamber itself. Questions were answered about the compatibility of free trade and the interests of the Chamber's constituency, and about the welfare program included in that bill.

The group later met with Patrick Heininger, a former Georgetown Law School student who spent the previous two years in Kenya and is now working as a lawyer at the World Bank. He described the Bank's function and activities. The political role and the influence of lawyers in this organization was discussed in some detail.

The representative of the House Ways and Means Committee mainly expressed the view that the bill had enhanced the powers of the Congress; he indicated some of the important procedural prerequisites which require Congressional consent.

The visit with the Senate Finance Committee was particularly informative. After the

bill was discussed, the conversation turned to how best to gain employment in Washington, D.C.



One beneficial part of the International Law Weekend was the opportunity to meet other law students interested in international law and to discuss with them their career goals and ideas. There is greater opportunities for the Georgetown students, being in Washington, to meet lawyers who practice international law, and these students were very willing to share their experiences and opinions about planning a career in this field.

By meeting with various interest and lobby groups which affected the development of the bill, it became clear that while the law is enacted on Capitol Hill, it is made and written in many different offices around the city. But it became clear during these visits, whether it be to the World Bank, the AFL-CIO, or the various Congressional Committees, that no one group had complete control over the direction or outcome of the Bill itself. In fact, the Congressional people indicated there was a high degree of unpredictability associated with the draft-

(TRADE P.14)

(TRADE)

ing of this Trade Bill; not only were the sponsors uncertain of the outcome of the Russian emigration issue, but there was no clear indication until the final stages about the role of Congress would play in monitoring the trade agreements.

One very interesting part of the program was the panel discussion on Saturday afternoon, when the representative of the AFL-CIO vigorously attacked the Trade Bill, while four representatives of different lobbying groups supported the measure. The panel debated both the overall concept of the bill, as well as the specific provisions, giving the students who had previously only heard the supporters of the bill an opportunity to examine articulate and knowledgeable criticism. Finally, the panel discussion provided a broader picture of the trade legislation, and was an effective way to sum up the weekend seminar.

The group was also offered a video-taped presentation of the job opportunities in careers in international law, and the chance to talk with the Director of the International program of the A.B.A. and with the President of the Association of Student International Law Societies (of the American Society of International Law).

The insights gained were fascinating as well as educational. This was the first time such a program of this nature was held, and due to its success and to the number of participants, it may become an annual event.

Sports Answers

1. Rick Barry
2. a. Seattle Pilots
b. Philadelphia Athletics (via Kansas City)
3. a. Evansville
b. Loyola (Chicago)
c. Toledo
d. Gardner-Webb
e. NYU
4. Martina Navratilova
5. Nat Frazier
6. Horst Muhlmann, Cincinnati Bengals
7. d. Tom Kite
8. Gabby Street

(BARF)

STUDENT: But that's 175 pages from where we are so I--

PROFESSOR KAMISCRAM: That's the problem. No initiative. When I went to law school everybody was behind. At the beginning of the of the semester my father foreclosed on the bookstore. The other ninety students had to share three casebooks. Sneaky, but I made law review. The end justifies the means. Just be sure your end's not sticking up while I'm justifying. If you know what I mean.

STUDENT: But I think--

PROFESSOR KAMISCRAM: Look. I know this subject. My credentials are sterling. I've written 2 casebooks, submitted 9 law review articles, edited 4 monographs, and I gotta picture of Clarence Darrow shooting craps with Herbert Wechsler tattooed on my chest.

STUDENT: I think we've deviated from the issue, moreover--

PROFESSOR KAMISCRAM: Morals! Don't speak to me of morals. Students are always saying that criminal law is morally bankrupt. Sure its principles are shitty, but its morals are sound. The moral question is irrelevant. Show me a case where the court pondered the moral culpability of the defendant?

STUDENT: Whiplash v. Commonwealth 272 U.S. 549 or page 117 in your casebook.

PROFESSOR KAMISCRAM: Show me another.

STUDENT: Heartburn v. State 188 F. Supp. 196 (CA. 10, 1971) or page--

PROFESSOR KAMISCRAM: Lets turn to the issue of recklessness. Here I can say without equivocation, the law equivocates. But that is not to say its bad law. Nor is it to



LIFE AT THE CLINIC-II

MICHIGAN LAW REVUE NEW STAFF

The following persons have been selected as staff for the 1975-76 Michigan Law Review:

EDITOR-IN-CHIEF

Robin Neuman

Managing Editors

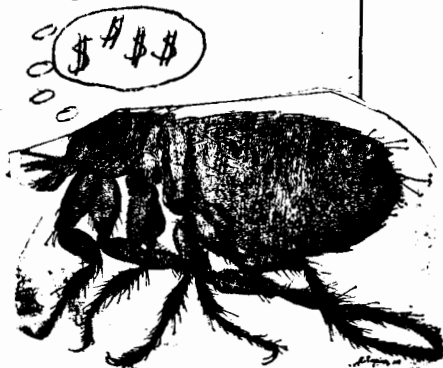
Eric Freyfogle
Andrew Marks

Administrative Editors

Charlotte Crane
Elizabeth Gentry
Brian Kennedy
William Waldo

Write-Your-Way-On-Editor

Alan Kreczko



Project Editor

Ellen Borgersen

Note Editors

Christine Albright
Corinne Goldstein
Todd Peterson
Lyman Spitzer
Michael Weinberg
Mark Weisburd
James Young

Sports Editor

Alan Kreczko

Party Editor

Corinne Goldstein

Article Editors

Larry Saylor
Steven Schon

(BISHOP)

international law and very interesting personalities in their own right. The session should be particularly worthwhile, and the Society urges all to attend.

The Society will host Dr. Whiteman and Professor Gross at a dinner, with wine, preceding the lecture - at 5:45 p.m. in the Faculty Dining Room of the Lawyer's Club. Please note that if you sign up but cannot attend, we would appreciate your contacting one of the officers to this effect by noon Friday.

(BOX)

- he shoots!
and doesn't have shit to do with being a lawyer

- he scores!
but if I do really well in law school, I'll get a really good job in a New York law firm where they'll let me teach myself to be the best damn lawyer I can!

- he's caught his tail between his teeth and is running away with his prize catch.

"What do you think the secret of living is, Chuck?"

"The secret of living is to be a lawyer, and to be a criminal ..."

"Wha-- ?"

"If the crime business is doing well, you can make a lot of money being a criminal and be happy ... and if the law begins cracking down, it won't spoil your day because you can just say, 'Oh well, the lawyer business will be picking up!'"

"And if the lawyer business is falling off, that won't spoil your day either because you can say, 'Oh well, this sure is a good time to be a criminal ...'"

With apologies to the Wall Street Journal, Charlie Schulz, the Pope, Our President, my mother-in-law, and Larry my friend who had the guts to bag this shit, I remain

Legally yours,
(an undivided 1/2 int.)
(and Ann Arbor Federal Savings and Loan Assoc. an undivided 1/2 int. and Professor GILBERT an undivided 1/2 interest)

G. Burgess Allison



LSSS

There was a curious mixture of joy and sadness in the air at last Monday's meeting. It was the last meeting of this year's Senate, except for a brief session next week to certify the results of the election and greet the new people. Most of us were a little tired of all the hassles we'd gone through this year, and maybe a little regretful over the time we'd wasted. But it was a fun year, a year when we really got a lot accomplished, a year when I made a lot of new friends and gained a lot of respect for the common sense and wisdom of law students, two things quite apart from

(BURIED P. 17)

(BURIED)

the intelligence we are all assumed to have. We made some mistakes, sure, but I don't think we made a single one that we all didn't learn something from.

Somehow the business we did at these two meetings seems less important than what the new Senate will be doing in the next few weeks. We really don't have much money left, and all of the groups know it, so there weren't any big requests for money. The International Law Society was allocated \$500 through the Speaker's Committee in a speaker's series honoring Prof. Bishop—the first one was Stevenson on the Law of the Oceans and there will be at least three more. La Raza was given \$254 for travel expenses to a conference in Salt Lake City, and everything else financial was tabled for the new Senate. Alan Barak asked for, and got, Senate support for a "mandatory with refund" system of funding in PIRGIM when the University goes to decentralized registration next year; but the system will have to get President Fleming's okay first.

George Pagano, head of Elections Committee made some comments. The election will be on Wednesday, not Tuesday, from 9 to 4:45 outside 100 Hutchins and from 5 to 7 in the Club. It was moved (1) some students will be attending the National Women and the Law Conference in California this weekend and wouldn't be back in time for the vote on Tuesday, and (2) most commuters are in town on Wednesday.

There were a few comments some people wanted to put in the record. First, we should get some chairpeople selected for the Film, Sports, Speaker's, and Social Committees so they can get some work done before summer starts. Howie was appointed temporary Sports Czar. Second, (and this is from Bella) was that the student body shouldn't look at the Senate as a Mickey-Mouse type of student government and they should give us more support. Compared to most student governments, we do have a lot of power, and a lot of money. But most students don't know, (and really don't care, I suppose) what we do, or how we do it, or why. And this leads me up to the comments I wanted to make.

The various candidates for President have put out their platforms for office. They told you what they wanted to get done, what



they wanted to accomplish. But I think they all missed the real job a President has to do. He has to be neutral. He has to be the one person that everyone can come to with suggestions and proposals. He can't afford to take strong stands on any issue, because he decides who gets to speak in the meetings, and he has to be above the criticism of showing favoritism to either side. He also has a lot of outside work to do, making sure that the things we vote on actually get done. I don't know how many hours Terry talked with Dean St. Antoine this year, but that was where 40% of everything we accomplished got done. And he probably spent ten times that much outside the law school, getting the right signatures for liquor licenses and things like that. That's the real job of the President—the nit-picky stuff that no one else ever knows about. It isn't something that you can easily write into a campaign platform, but the person who's willing to put all the time in is going to be the best President. But, then, by the time you read this the election will be over, and I want to congratulate all the winners and wish them the best of luck.

Well, that's about it for me. There is only one candidate for Secretary for next year,

(LSSS NEXT PAGE)

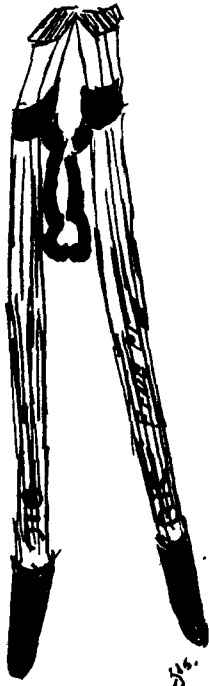
(LSSS)

so there's not much question who's going to get this job, but there is an issue concerning the minutes that was never settled: Should the Secretary be allowed to "editorialize" in order to make them more readable. The editors of the RG said last week that George Vinyard's articles were better written than my minutes. That's true, and there's a reason for it. I made an effort to cut out my personal comments after several people spoke critically about them. It made the minutes a lot less interesting, and I really think next year's Secretary should be given a lot of leeway in writing them for the RG. It might be nice to have a "straight" set for the Senate and a "newsy" set for RG, but that's a lot of trouble, and this job takes a lot of time anyway. I think the new Senate should get it straightened out right away, whichever they want to do it.

When it comes right down to it, I enjoyed doing this stuff. I'm going to miss it. So long.

Respectfully submitted,

Bill Hays



(TYPE)

ROLES OF WOMEN

Unmarried seventh grade school teacher, active in a group sex program, who described her sexual activity in the problem as the simultaneous engagement in fellatio and coitus with two friends.

Women transported across state line after being converted by male defendant to a religious sect.

Daughter's college roommate

Wife of injured man

Widget seller

Sick woman with high blood pressure who was killed by a 30-year-old man with whom she was living.

Women who offered to have intercourse with the state commissioner if he'd give her boyfriend a liquor license

Woman (18 years old with IQ of 50) who had been raped.

Ailing wife

Younger woman

Waitress

Wife

Organizer of movement to oppose plant construction.

Assistant detective

Land developer

Mother

Woman evicted from apartment

Law school graduate (referred to only by the name of Mary, while the men in the problem were dignified by a surname)

Ms. Bihary concluded that "these examples highlight the attitude that men are persons of action, power, adventure, and creativity, while women continue to be represented as mothers, wives and/or sex objects."

The issue of sexual stereotyping is further explored in the following correspondence between Professor Terrance Sandalow and Abigail Kelly. Professor Sandalow initiated the exchange when one of his exam questions (reprinted below) was used as an example in the summary report which preceded the women's presentation.

(RUNS SERIALLY TO P. 2)

II

Hester Prynne, an unmarried 30 year old woman, is employed by the Salem School District as a teacher of seventh grade students. Her contract with the school district provides that she may not be dismissed from her employment except for "good cause."

On November 14, 1973, Ms. Prynne appeared as a guest on the Lou Groton Show, a television program on which Groton interviews celebrities and other persons engaged in interesting or controversial activities. Ms. Prynne was invited to be on the program because of her active role in Group Sex, an organization which describes its purposes in the following terms: "(1) to seek the repeal of legislation that prohibits any form of sexual activity between and among consenting adults, and (2) to provide members with expanded opportunities for exploring the joys of sex in all of its forms." During her interview, Ms. Prynne spoke about what she considered the evils of legislation that regulate the sexual activities of consenting adults and urged the repeal of such legislation. She also dwelt at some length upon her belief that Americans were too restricted in their sexual practices and that their failure to engage in more diverse forms of sexual activity not only deprived them of great pleasure but inhibited their ability to establish close and meaningful relations with one another. In the course of the discussion, and to illustrate her point, Ms. Prynne described her own emotions and the relationships she had established when, about a month earlier, she had engaged simultaneously in fellatio and coitus with two friends.

The following day, the Superintendent of Schools-having received scores of telephone calls from outraged citizens, including parents of Ms. Prynne's students-suspended her from all teaching duties pending a hearing to determine whether she should be dismissed from her position. The hearing was held and Ms. Prynne was dismissed, the hearing board having determined that there was "good cause" for her dismissal because (1) she had committed crimes of moral turpitude (fornication and fellatio), and (2) by engaging in public discussion of her sexual activities, she had seriously impaired her ability to function effectively as a seventh grade teacher.

Ms. Prynne thereupon brought suit to enjoin the school board, challenging the constitutionality of her dismissal. What result? Why?

[Note: The statutes of Hutchins-the state in which Salem is located-provide:

"Sec. 312.10. Fornication. Any woman who, being unmarried, shall engage in sexual intercourse shall be punishable by not more than one year in jail or by a fine not more than \$500."

"Sec. 318.20. Sodomy. Any person who, in public or private, shall commit an act of sodomy, fellatio, or cunnilingus shall be punishable by not more than one year in jail or by a fine of not more than \$500."]

Terrance Sandalow

LETTER TO WOMEN STUDENTS FROM PROFESSOR SANDALOW:

I am writing to express my bewilderment at your inclusion of one of my exam questions among your illustrations of sexism in the law school. The question raised a series of constitutional issues arising out of the discharge of a female teacher for (1) having violated state statutes regulating sexual activity, and (2) speaking publicly about her sexual activities. In an effort to ascertain how the question could possibly have been considered illustrative of sexist attitudes, I have tried to think through all objections that might conceivably be raised on that ground.

1. There was a time, no doubt, when it would have been thought "indelicate" to pose a question about sex to a class composed, in part, of "young ladies." Perhaps there are still places where such an attitude prevails. It seems to me quite inconceivable, however, that your objection can be based on that ground. Surely, a concern that the sensibilities of female law students would be offended by a candid discussion of sex would be wholly incompatible with the views you espouse.

2. The "story line" of the question depicts a young woman exploring and expressing her sexuality. My familiarity with the literature of the women's movement is not

(CONT.)

great, but I have the firm impression that the need for such exploration and expression is one of its dominant themes. The protagonist is, moreover, depicted not only as candid and unembarrassed about her activities but as a leading member of a group which, at least inferentially, is composed of both men and women. Far from revealing sexist attitudes, therefore, the "plot" of the question seems to me entirely compatible with a view of women espoused by some of the leading figures in the women's movement.

3. Conceivably your objection is based upon the fact that the protagonist is named Hester Prynne. That is not a very original name, I admit, but it is not wholly inappropriate for a woman who is depicted as being cast out by an intolerant society.

4. Yet another possibility is that sexism is revealed in casting Ms. Prynne as a teacher of young children, a stereotyped woman's role. The problem is that the question would not have worked very well if Ms. Prynne had been cast as a truck driver, stevedore, or engineer. The "bite" of the question comes from a conflict of social values unique to the teaching of adolescents.

5. Finally, it might be argued that there was no need to place a female in the protagonist's role. Even if that were so, I do not see why it would support a charge of sexism. In any event, it was crucial to one of the issues that I wanted to raise on the exam, sex-discrimination, that the teacher be a female. One of the complaints expressed in your memo, you may recall, is that the law school gives inadequate attention to discrimination against women and the means by which they may oppose such discrimination. The question seems to be directly responsive to that complaint.

The short of the matter is that I am completely at a loss to understand your assertion that the exam illustrates sexist attitudes. One of us, I fear, needs a deeper understanding of sexism. If it is me, I shall be glad to be instructed. But you may find it more profitable to consider carefully the other possibility.

REPLY TO PROFESSOR SANDALOW

Dear Professor Sandalow:

Your memorandum on Hester Prynne was forwarded to me for response both because I have taken your course in constitutional law and thus am familiar with the relationship between the material covered in the course and the exam question you devised, and because I originally submitted the question as an example of sexism in the classroom. I deeply regret the delay in responding to your memorandum. Unfortunately, until I was informed yesterday that you consider the lack of reply a tribute to the success of your arguments, I had assumed that Ms. Bihary's presentation had clarified an issue that was, perhaps, cryptically presented in the written summary distributed to you initially.

My central concern with the question is that it serves to reinforce the view that women are primarily sexual beings. As Ms. Bihary pointed out in her speech, anatomy is indeed destiny in the law school examination question. Women appear almost exclusively in biological roles: wives, mothers, sex partners and victims. Your question reached new heights; your protagonist was apparently servicing two men simultaneously. Since you indicate that this question was designed to be responsive to the concerns of women students, I must inform you that I do not consider the question successful. Indeed, it was disheartening to me that after teaching a course that included subjects of great importance to women, including the issues of reproductive freedom, equal access to sources of economic power, and full participation in the obligations of citizenry, you would select sexual expression as the only issue of sex-discrimination included in the examination.

1. It is my opinion that your question was indeed indelicate and tasteless. While you are correct in your assumption that the "sensibilities of female students" would not ordinarily "be offended by a candid discussion of sex," our tolerance does not extend to the presentation of such issues in the self-consciously cutesy style characteristic of law school examination questions. If you choose to adopt a style characteristic of those writers who use sexual allusions to provide amusement and titillation

(CONT.)

to a male audience you must prepare yourself to receive the same reaction as those authors.

2. Your second point, that the question is "entirely compatible with a view of women espoused by some of the leading figures in the women's movement" reaches the core of our misunderstanding. It suggests to me that you have formed your view of the "women's movement" primarily from the image of women and issues highlighted by the media. Media publicists are ordinarily not feminists. Nor do they serve a feminist audience. The picture they present of the "women's movement" is often distorted. Thus, although you are correct in your preception that many women today are concerned with "exploring" and "expressing" sexuality you are incorrect in assuming that this is necessarily a major concern of women law students. Many feminists consider the emphasis on sexuality counter-revolutionary: an effort to divert women into a concentration on physical sensation while the economic and social status quo is preserved. (Some confirmation of this view may be found in the fact that overt antifeminists have developed the theme that feminism and sexuality are incompatible in books such as The New Chastity and Sexual Suicide.) I am enclosing two articles espousing this negative view of sexual experimentation to acquaint you with this side of the issue. I do not suggest that any individual woman law student is in full agreement with either of the two authors, but I would like to point out to you that the decision to attend law school would seem to reflect a decision to concentrate on economic and social change rather than sexual freedom.

3. Again you are correct in your assumption that the use of the name Hester Prynne is offensive. Women have too few heroes in history or literature. The Hester Prynne of The Scarlet Letter is a character of great personal strength. It is distressing to us to see her trivialized by having her name used to provide comic relief to an examination. And again I would like to point out that the practice of using the names of prominent women in incongruous and relatively insignificant situations in common in law school examinations.

4. I agree that Ms. Prynne's occupation was essential to the success of the question. This was not an area of concern.

5. As to your final point, I cannot agree that it was essential that the protagonist be female. You constructed the statute that raised the sex-discrimination issue. Thus you could simply have written the statute to forbid fornication only to unmarried males. This type of sex-role reversal would have the additional advantage of emphasizing the problem of sexual stereotyping. The fact that this did not occur to you either when you were preparing the exam or when you were preparing your letter to us, seems to indicate that you are having difficulty in recognizing and avoiding sexual stereotyping in your own thinking. While there may be many cases involving teachers penalized for sexual unorthodoxy, the case I am most familiar with involved male homosexuality. It occurred to me that perhaps you changed the sex of the protagonist because you feel the same discomfort in dealing with unorthodox male sexual behavior that women feel in dealing with unorthodox female sexual behavior.

Finally, I feel I must say something about the tone of your memorandum. I have been thinking about, reading about, and talking about sexism for ten years. I have been experiencing sexism all my life. Most of my colleagues have made the same serious effort to understand sexism. Thus it is puzzling to me that after admitting that your familiarity with women's literature is "not great" you should be willing to suggest, after less than twenty-four hours of reflection, that our understanding of sexism is deficient.

Sincerely,

Abigail S. Kelly



BASKETBALL POLL

John Mezzanotte won the poll by guessing five of the eight games correctly and then picking Ali in five.

Gross-out of the week: The AP ranked Princeton thirteenth in the nation.

NCAA Champs: _____.

NCAA Runner-up: _____.

NCAA Third Place: _____.

Tiebreaker:

Total number of points scored in the championship game? _____

George A. Pagano

(FIGURE HERE)

DEFINITIONS

researched by Alan Barak

Pettifogging Shyster:

Pettifogging shyster means an unscrupulous lawyer who disgraces his profession by mean work and sharp practices. Bailey v. Kalamazoo Pub. Co., 40 Mich 251, 256 (1879)

Outhouse:

See: Stats Ann. 14.433(1); Pub. Acts 1939, No 273, § 1.

Now:

The proper meaning of the word "now" as used in the phrase "as I now have acquired" is "at the present time." Jeffery (sic) v. Hursh, 58 Mich 246, 254, 25 N.W. 176 (1885).

SPORTS QUIZ

- Name the only basketball player who has led both the NBA and ABA in scoring.
- Franchise moving is now an accepted part of American sports. Trace these major league baseball teams back to the site of the original franchise:
 - Milwaukee Brewers
 - Oakland As
 - Atlanta Braves
 - Montreal Expos
 - Texas Rangers
- Match these NBA players to their Alma Maters;
 - Jerry Sloan
 - LaRue Martin
 - Steve Mix
 - John Drew
 - Happy Hairston
- This week's Virginia Slims tournament is being held in Boston. The newest sensation to hit the women's tour is a Czechoslovakian teenager. Name her.
- Morgan State was last year's small college basketball champ. Their season this year has been marred by controversy and forfeitures. Name their troubled coach.
- Remember the football season? Alex Karras was recently delighted to learn a foreign born NFL placekicker faces possible deportation for income tax problems. Name this evasive kicker.
- Many young golfers have come into their own in the past two seasons. Pick out the only one of the following who has *not* won a PGA event in 1974 or 1975.
 - Terry Diehl
 - Tom Watson
 - Bob Menne
 - Tom Kite
 - Vic Regalado
 - Ed Sneed
- The St. Louis Cardinals won back-to-back pennants in 1930-31, facing the same team, managed by Connie Mack, in both world series. Who was the Cardinal manager? (ANSWERS P. 14)