

University at Buffalo School of Law

Digital Commons @ University at Buffalo School of Law

The Opinion Newspaper

The Opinion

10-16-1980

The Opinion Volume 21 Number 3 – October 16, 1980

The Opinion

Follow this and additional works at: https://digitalcommons.law.buffalo.edu/the_opinion



Part of the [Higher Education Commons](#), and the [Legal History Commons](#)

Recommended Citation

The Opinion, "The Opinion Volume 21 Number 3 – October 16, 1980" (1980). *The Opinion Newspaper*. 164.

https://digitalcommons.law.buffalo.edu/the_opinion/164

This Newspaper is brought to you for free and open access by the The Opinion at Digital Commons @ University at Buffalo School of Law. It has been accepted for inclusion in The Opinion Newspaper by an authorized administrator of Digital Commons @ University at Buffalo School of Law. For more information, please contact lawscholar@buffalo.edu.



Professor Barbara Blumenthal prepares for another class. Her antitrust experience makes her a unique asset to the law school.

Blumenthal Brings Expertise to School

by Scott Wright

Toward the close of her first class Professor Blumenthal paused for a question: Why did she leave Skadden Arps to teach at Buffalo? "Actually, those who know me would ask why I ever went to Skadden," said Blumenthal.

Barbara Blumenthal joined the faculty this year primarily to teach a much needed course in antitrust. First semester she is teaching an introductory section only. Second semester, while schedul-

ed to teach a section of corporations, she tentatively plans to offer an advanced seminar in antitrust as well.

Born in New York City, Professor Blumenthal was raised in Denver, Colorado where her father teaches at the University of Denver Law School. She has lived in California, Illinois and Connecticut. She graduated from Oberlin College in 1972 and went immediately into a fellowship at the University of Connecticut

cont'd. on page three

Non-Profit Organization
U.S. Postage
PAID
Buffalo, New York
Permit No. 708

Opinion

"Only the apathetic have no opinion..."

Opinion
John Lord O'Brian Hall
SUNY/B. North Campus
Buffalo, New York 14260

Volume 21, Number 3

State University of New York at Buffalo School of Law

October 16, 1980

Effective Waste Disposal For Niagara County?

by Laurie Gross

The following is the first of a two-part series on the problems of effective waste disposal in Niagara County.

Niagara County has issued a right-of-way permit to SCA Chemical Waste Services Inc. of Porter for construction of a waste pipeline to the Niagara River. Utilization of the pipeline cannot commence until the associated Court of Appeals case and suit in the Appellate Division are settled.

After much controversy, State Supreme Court Judge Joseph D. Mintz ordered Niagara County Public Works Commissioner Donald J. Smith to grant the permit which will follow the same conditions outlined by one issued in February 1979. The five-mile pipeline will be constructed from Balmer Road in the Town of Porter, under the county's Lower Road in Lewiston, to the Niagara River.

According to Smith, the original permit had expired because work had not begun on the project within the specified 90 days. SCA argues, however, the 90-day period was to begin after all other legal proceedings regarding the project were completed.

The conditions in the original permit allowed SCA to build its pipeline under Lower River Road after receiving Department of Environmental Conservation (DEC) approval and permits required by the agency and after obtaining a building permit from the Town of Porter. Once they supplied written notice to the public works department within 72 hours of starting construction,

allowed for the free flow of traffic at all times, agreed to repair any damage to driveways, and obtained liability insurance for itself and its contractor, SCA could proceed with the pipeline construction.

Attorney and Environmental Scientist Barbara Morrison was hired by the Town of Porter to file suits against SCA. In the Court of Appeals case, the Town of Porter is refusing to grant the building permit. The case is pending and will not be settled until the end of October at the earliest.

The suit in the Appellate Division deals with the environmental impact question. It seeks to overturn prior DEC approval of the pipeline. In this effort, the Town of Porter is supported by Lewiston, Niagara on the Lake, Ontario, Operation Clean, and Citizens Against Pollution (CAP). Their common ground is that they receive their drinking water from the Niagara River and they are concerned.

The groups argue that technology has existed for 20 years which can effectively treat most, if not all, hazardous waste. They believe it is the responsibility of the state and federal governments to establish the legislation that would make these facilities mandatory. Current methods of waste treatment and disposal are cheaper and increase profit, but the SCA opponents question the company's ability to adequately handle the 4,000 tons of waste material accepted by the firm each month. They accuse the company of placing profit before people's safety.

"There's enough garbage

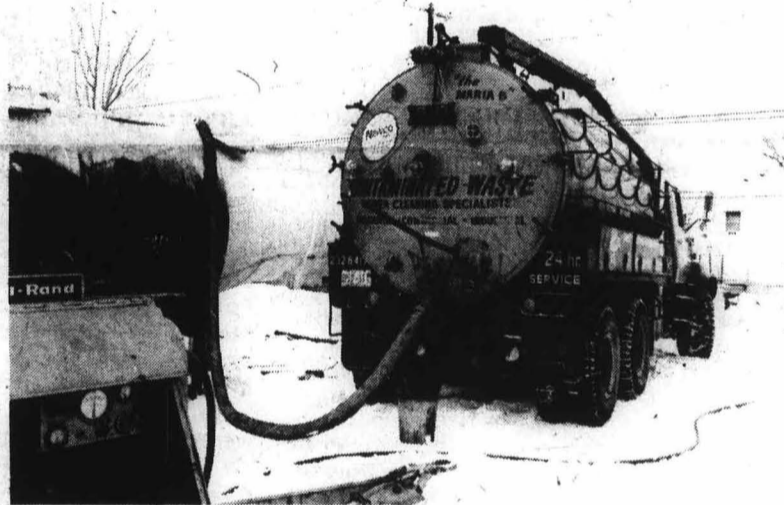


Photo courtesy of "The Spectrum"

"Sewer Cleaning Specialists" profit from polluting profiteers.

from the Niagara Falls defunct sewage treatment plant," says Don Henry of Operation Clean. He believes the pipeline will have a considerable effect on the water. "We want to clean up the lake," Henry says, "not add to it."

It is only a matter of time before the chemicals will be

leaching into the ground water, Allison Livingston of CAP fears. "The whole area is threatened, not only now, but in the future," she says, "and that's what we're looking toward, the future."

According to Livingston, CAP was established to organize the concerned people

into effective action. "Our purpose is to get people aware, to get them involved," she says, "because the sooner they're aware, the sooner we can alleviate the problem."

The second part of this series, to appear next issue, deals with the secured landfills of CECOS International, Inc.

Dismissal of Parking Tickets Concerns UB Administrators

by Edward M. Sinker

Students receiving traffic tickets on the Amherst campus from university police have discovered a way to "beat the system." Increasing numbers of students have been pleading "not guilty" to the alleged violations in an attempt to confront the campus cop in court. The cop does not appear in court and the ticket is "unconditionally discharged."

Traffic Lieutenant Jim Little of the university police said, "I've noticed more illegal park-

ing this semester than ever before. Our men have increased ticketing as a result."

University records indicate, between both campuses, an issuance of 8,419 tickets from January 1 to September 30. No figures are available as to exactly how many of the Amherst campus tickets were unconditionally discharged, but Director of Public Safety Lee Griffin agreed "the abuse has reached epidemic proportions."

We'll have to either quit writing tickets," said Griffin,

"or start sending our men over to the Amherst courthouse." Griffin explained that exorbitant costs have, in the past, precluded sending officers to confront the accused each week. "Union agreements require that off-duty officers be paid overtime," asserted Griffin, "for their appearances in court. The union contract also guarantees a minimum of four hours overtime."

University police earn \$10 for each hour of overtime, thus

cont'd. on page eight

Editor-in-Chief
Edward M. Sinker

Managing Editor
Bob Siegel

News Editor: Marc Ganz
Feature Editor: Ralph W. Peters
Feature Editor: Michael Rosenthal
Photo Editor: Guy Van Baalen
Business Manager: Amy Jo Fricano

Staff: Dorie Benesh, Joe Peperone, Alan Beckoff, Melanie Pierson.

Contributors: Bill Altreuter, Heather Byrne, Arthur Scott Garfinkel, Laurie Gross, Karen Spencer, Scott Wright

© Copyright 1980, Opinion, SBA. Any republication of materials herein is strictly prohibited without the express consent of the Editors. Opinion is published every two weeks during the academic year. It is the student newspaper of the State University of New York at Buffalo School of Law, SUNYAB Amherst Campus, Buffalo, New York 14260. The views expressed in this paper are not necessarily those of the Editorial Board or Staff of Opinion. Opinion is a non-profit organization, third-class postage entered at Buffalo, N.Y. Editorial Policy of Opinion is determined collectively by the Editorial Board. Opinion is funded by SBA from Student Law Fees. Composition & Design: University Press at Buffalo.

Editorial

Campus Security Should Face Problems Head-On

The exorbitant costs of providing adequate due process of law have been asserted by Amherst University Police as an affirmative defense to their issuance of what becomes unenforced parking tickets. The dilemma demonstrates far more than the continuing clash between due process concerns and prohibitive enforcement costs.

Behind the facade of constitutional and administrative considerations, lies the real problem: the continual failure of Amherst University Police administrators to "grab the bull by the horns" and grapple with the dilemma directly.

Interviews with campus security administrators disclosed three distinct reasons for the failure of officers to confront "not guilty" pleas in Amherst Town Court: (1) the courthouse has failed to notify campus security of these "not guilty" pleas, (2) the new security officer who replaced the previous officer stationed at the courthouse on parking violation nights either did not know or was not told he was to be in court those nights, and the administrators had "no idea" he was not appearing before the court and, last but not least, (3) the overtime costs of sending officers to court cannot be justified on a cost-benefit basis.

Whatever their real excuses, the fact remains administrators have done nothing, at least not until Opinion spoke with them last week, to address this matter directly. The past several months have indicated the recurrence of this fact-pattern of students pleading "not guilty" with no show by the security officer. It was not until such abuse had, in Director of Public Safety Lee Griffin's own words, "reached epidemic proportions" (and, coincidentally we are told, after Opinion brought the problem to their attention) that campus security administrators suddenly awoke and said they were now prepared to act.

Opinion suggests that a regular officer be assigned to the courthouse for traffic ticket contentions. Alleged violators should be informed by the court that the appearing officer is not the ticketing officer, but that the officer would be present for trial on an adjourned date. The assigned officer would only serve to assist the court with any factual questions it may have (e.g., is there a posted sign in a particular location or is this a no parking zone?). This suggestion would serve to "weed out" those who have legitimate claims from those who have pleaded "not guilty" on the mere chance that the ticketing officer will not show up in court.

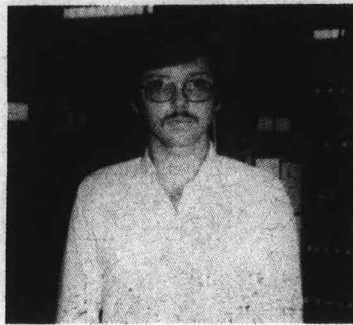
In his cost/benefit analysis, Griffin considered only the costs of paying campus cops overtime. His calculations did not include lost revenues resulting from \$10 tickets being unconditionally discharged each time one of his cops failed to show in court. Nor did Griffin concern himself with the costs of paying cops to write tickets which would never be enforced. Is there anything truly cost effective in the present situation?

The constitutional confrontation with exorbitant administrative costs is admittedly not a readily resolvable issue, but the problem is not made any less burdensome by postponement or alleged ignorance of its existence. Perhaps a more acute ear to the campus-community pulse and a more watchful eye of their own bureaucratic shortcomings might be in order for Amherst University Police administrators.

Griffin sharply told Opinion (see story on page 1) it is none of our business why administrators have neglected this problem in the past. As taxpayers, students paying tuition, and generally concerned citizens, we have every reason to make such administrative negligence our business. Should Griffin truly feel otherwise, we would have every reason to summarily seek his resignation.

President's Corner

We Can Make the Difference



by Bill Altreuter

Why doesn't anybody want this job? When I decided, back in July, that a run for the Presidency was worth the effort, I didn't think I had a chance of winning. All I really wanted to do was inject a fresh sensibility into the process. I had never been involved with the SBA before, and I assumed that one of the regulars would win. All my past experience with student government indicated that the spoils go to the hacks, but I filed my petition anyway, in the belief that I was the most qualified candidate.

To my bewilderment, none of the expected opposition materialized. Most of the people I had felt sure would run signed my petition with a smile, and wished me luck. Some accounted for their retreat from the political scene by explaining that they had acquired other responsibilities; some just wanted out. All agreed that I had my work cut out for me, but that "someone has got to do it."

In addition, no other dark horse Presidential aspirants emerged, and in fact, all of the candidates for slots on the executive board ran unopposed. Further, only the Vice-Presidential candidate, Matthew Modica, could claim prior SBA experience. The second and third year classes were unable to field full director slates. Only three candidates ran for the vital Faculty-Student Relations Board, and one had his petition invalidated, so that only two names were on the ballot.

1981 Commencement Committee Organizing Upcoming Activities

To the Senior Class:

Last spring, the 1981 Commencement Committee circulated a survey to ascertain your wishes with respect to Commencement. As a result of these findings, Anthony Lewis, correspondent for the *New York Times* and the author of the book *Gideon's Trumpet*, has accepted an invitation to speak at the ceremony which will be held at 1 p.m., May 24 at Kleinhans Music Hall.

We also requested ideas on what types of activities you wanted and how they would be financed. An overwhelming majority of voters favored the idea of paying senior dues so that more quality events could be planned. Consequently, we are now collecting eight dollars per person as senior dues.

The final voter turnout was even more depressing. Barely a third of you all cared enough to show up at the polls in the general election, and only a third of that in the vote on the referendum.

Frankly, I had thought that it was faculty and administrative insensitivity to the SBA that caused the regulars' retreat from involvement. The student body was the last place I would have looked, but these last few weeks have been full of surprises. I would never have thought that the lame duck SBA would have taken it upon itself to contest an unopposed election, either.

The passage of time has cooled my temper to the degree that I am inclined to believe that stupidity rather than malice was the motivation for the Fickle Five's refusal to validate last month's election. Regardless of motive, however, the referendum's outcome indicates to me that their petulant efforts to render even more pathetic the mess they left behind were recognized for what they were.

I ran with the slogan, "It is possible to make a difference." I believed it then, and I still believe it. Whether or not I really can, or will, is still an open question, which depends a lot on you all. Know that I have every intention of trying. Look for the SBA to begin to work in these areas:

1. The SBA is in such a state of disorder at this point that we enjoy almost zero credibility from faculty, administration, and ourselves. Major changes in the way we conduct our business are essential, as I'm sure is obvious by now. I refuse to let substance take a back seat to procedure, and will initiate whatever reforms are necessary to that end.

2. The grading system here at UB is probably the leading component in the superior, relaxed atmosphere enjoyed by us all. It is also one of the primary sources of frustration and alienation among the students. I want to push for

greater clarity from the faculty as to what is expected of us on exams.

3. The SBA is in a position to enhance the quality of law student life by providing the funds for extra-curricular and social events. Let no one kid you: these things are very important, and I am committed to supporting them.

4. The quality of faculty-student relations is badly strained to say the least. The SBA can demonstrate to the faculty that we are responsible, that we are professional, and that we do deserve their respect. By the time you read this I hope to have taken steps in that direction. The appointments I have made to the Faculty-Student Committees are all people I believe will try to work at making a difference. Many of these people are fresh faces — my recent experience with hacks has been an education. Be assured that experience alone is not a sufficient criteria for an appointment, and be confident that they are capable and hard-working.

To those on the committees, let me remind you once again that respect can only be earned by demonstrating that we are willing to do the work that it takes and accept the responsibility that attends the drive to make a difference. Remember that the respect of the faculty is an absolute precondition for faculty responsiveness to our needs.

This is an opportunity for us to redeem ourselves from the embarrassment that the elections and the procedural nonsense that surrounded it have caused. If we have any self-respect we will try to do at least this much right.

I went into this with my eyes open. I know it's going to be a lot of work; I expect it to break my back, but I'll be damned if I'll let it break my heart as well. I'll go to the wall on every issue if I have to, but I will not go alone. Thank you for your past support — now the work begins.

Three major events have already been planned for the Spring semester. On February 12 there will be an "100 Days 'Til Graduation Party" at a local bar. This beer blast will be free to those who have purchased senior ID's. All others will be required to pay admission.

On April 3, 1981, there will be an evening of drinks and dancing at the "semi-formal" which will be held at the new downtown Buffalo Hilton. The event will run from 9 p.m.—1 a.m. with at least two hours of open bar and continuous hot and cold hors d'oeuvres. Senior dues will help defray part of the cost of the event, and seniors who have purchased an ID will receive discounted ticket prices.

Finally, the night before

graduation, May 23, 1981, there will be a cocktail party for graduates, parents, friends and faculty at a local hotel yet to be determined.

Quite frankly, the more money we get, the more we can plan in terms of picnics and parties the week between graduation and exams. Also, the sooner we get the money in, the better, because that way we will know how much we have to play with. As an extra incentive for paying senior dues as soon as possible ID's can be purchased Monday-Thursday, 9 a.m.—4 p.m. in front of the Library, at the rate of \$8.00. Next semester they will sell for \$10.00.

It's been a long three years so let's go out in style!!!!
The 1981 Commencement Committee

Commentary: Candidate Lucey at Squire Hall

by R.W. Peters

Patrick Lucey, John Anderson's running mate, spoke last Monday to an SRO crowd at the Squire Conference Theater.

Lucey is not a particularly charismatic politician. He is a florid complected individual of average height, possessing a pair of ice blue eyes (somewhat magnified by the lenses of his glasses), a thick head of statesman-gray hair, and the broad, patient face of a Wisconsin dairy farmer.

Lucey was whistlestopping Buffalo, the Murmansk of the deteriorating American Northeast, hoping to drum up support for the flagging Anderson campaign.

Anderson had originally intended making the trip to Beau Fleuve himself, but was called away at the last minute to portray the "Man from Glad" in the popular trash bag commercials. Anderson has been forced into such unorthodox fund raising tactics because of changes in the Federal Campaign Funding Laws.

The Vice Presidential candidate was a bit late, and the waiting crowd was treated to the musical gifts of one Glenn Wallace, a local folk singer and comedian. He proved to be more of a comedian than a musician, and his excruciating rendition of the Jerry Jeff

Walker classic, Mr. Bojangles had the audience grinding their molars. The Pointless Brothers were originally slated to appear at this shindig, but were said to have thrown their lot in with Lev at the last moment.

Exuent Glenn Wallace. In came Lucey's advance men and Secret Service escort. Looking up and seeing his phalanx of rain-coated operatives, I thought for a moment that London Fog was introducing its new line of rain gear in the Conference Theater. These fellows were very jumpy, having heard that a Croatian terrorist group, Plaque 7, was operating out of the nearby U.B. Dental School. After sniffing about a bit, their beefy leader, a Ham Jordan clone, motioned "coast clear", and Lucey, after a quick introduction by your standard S.A. twerp, made his grand entrance, receiving a smart hand from the assemblage.

Lucey tossed out a few one-liners, mentioned chicken wings, the Bills, the weather, and Jack Kemp (whom he facetiously called a "near great"). Believing that he had thus secured the required foothold of intimacy with the crowd, Lucey quickly moved to attack Jimmy Carter, and in a lesser fashion, Ronald Reagan.

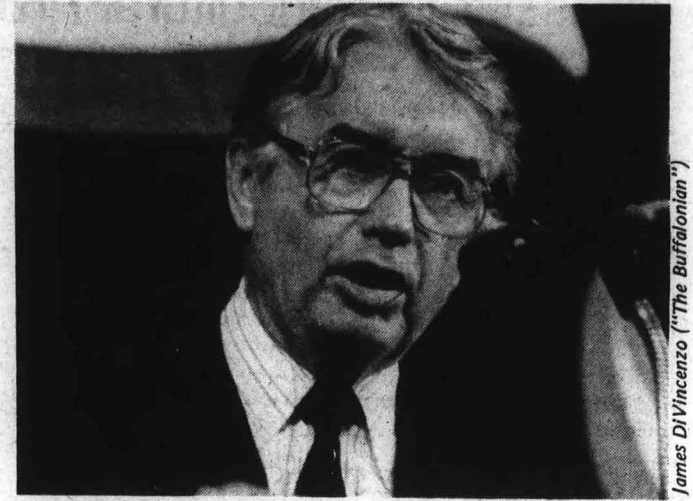
The Vice-Presidential candidate also delineated Ander-

son's position on several issues. Nothing surprising came up, and I will not recount his platform in detail.

The entire thirty-minute speech was tailor made to the "youth" vote. Lucey, in no uncertain terms, denounced a reimplementation of the draft. He reiterated the strong Anderson-Lucey stand on energy conservation, with emphasis on solar development. The two are pro-ERA. At the mention of each of these stands came loud hoots of approval from the crowd.

A brief question and answer session followed Lucey's speech. As could be expected, most of the student questions centered on food stamps, changes in the BEOG program, and other matters of immediate concern to those sucking on the public teat.

A question not in this vein, however, was asked by a young Ulyanov who had the temerity to suggest that Ander-



Independent John Anderson's running mate, Patrick Lucey, addresses crowd at Squire Hall.

son was a tool of the Trilateral Commission (which has become the new Boogeyman of the New Left). Lucey fielded this question/polemic with some aplomb, stating that he felt no need to apologize for Anderson's connections with that organization, and he

himself considered the Commission merely a counter to OPEC and various Third World organizations.

With that retort, Lucey exited to a standing ovation and the whirring sound of Nikon motor-drives.

Nothing "Secret" About Lucey's Secret Service Protection

by Arthur Scott Garfinkel

Patrick Lucey, the Vice-Presidential candidate on John Anderson's Independent ticket, spoke Monday afternoon at Squire Hall. Being a bonafide executive office hopeful, Mr. Lucey is entitled to Secret Service protection. The issue before us is determining the evidence that identified the Secret Service Agents to the audience in attendance.

Seven or eight Mormons or Aryans marched through Squire Conference Theatre (right/left) to the platform where Governor Lucey was to speak. As they passed by my eyes wandered up the back of their individual heads. But individuality was lacking in their respective hair styles. The backs of their heads looked as if Lord Toronaga had just finished doing the cutting. If their dollar seventy-five, Joe-the-barber haircuts were not

conclusive, their protruding Sam Browne four inch leather belts holding up the 357 magnams put the audience's curiosity at rest.

One would think that the Secret Service, which prides itself on its covert operations, would try to be less obvious or more secretive, but one must not overlook the fact that the Agents each had on different color three piece suits.

Blumenthal Likes Buffalo

cont'd. from page one

in the History of Science. In 1973 she received a masters degree, took a look at the job market and concluded that "investing time and money in a PhD. was fruitless." Law school was a possibility, as Blumenthal had previously worked for attorneys but was of the belief that "what they were doing was interesting but I wouldn't want to practice." Instead, in an attempt to begin the teaching career she knew all along she would settle into, Blumenthal joined Vista. From 1974 to 1975 she taught in the Hartford, Connecticut Public High School Alternative Learning Center. It was during this time that Professor Blumenthal's interest in law became well enough defined to persuade her to go to law school. As a result, after leaving Vista she attended University of Denver School of Law from which she graduated in 1977.

Blumenthal accepted, in her desire to get practical experience for teaching, an offer to join Skadden Arps in New York City to take advantage of the opportunity to see how those in the trenches perform. For the two and one half years she was with Skadden, Blumenthal worked in the antitrust department. While young associates don't face precisely the same anxieties young instructors face in class, Blumenthal points out a "psychological income" associated with working in a large firm involved in large deals. Nonetheless, "constant reporting to partners" and

wondering whether she'd be working again on the weekend or all night doesn't allow the autonomy Blumenthal enjoys in teaching.

Would she recommend the same course to anyone thinking of teaching? "It depends," she says. "For me it was a great thing to do." The caveat, she adds, is that the prospective teacher should consider practicing in a firm which does work in his or her area of interest. Blumenthal doesn't regret practicing. It taught her "how things work, how the law is really applied." She notes that antitrust practice in particular reflects a large part of the law which the casebooks omit.

While at Skadden, Blumenthal assisted in completing the first supplement to "Acquisitions Under the Hart-Scott-Rodino Antitrust Improvements Act." The treatise took three partners and three associates several months to complete and was finished only recently. While Blumenthal admits it made her an expert in certain areas of antitrust, she is relieved she won't be available for the next supplement.

Professor Blumenthal likes the pace of Buffalo, but was taken aback recently when the Buffalo Chamber of Commerce arrived at her house to film a commercial and stayed all day playing Buffalo's theme song over and over. A bit homesick, Blumenthal has confided privately that the Bills are "almost as good as the Broncos were."

Profs Say Dean Got "Bum Rap;" Feel NY Practice Not Essential

To the Editor:

We are writing in an attempt to set the record straight about the future of the New York Practice course, an issue which has received much attention in recent editions of your newspaper and in the halls of this law school. The student perception of this matter — at least as embodied in *Opinion* reports — seems to us to be based upon a number of misconceptions. After they learn the actual facts, we hope that the students will reevaluate their positions in the matter.

The first misconception is that a law school New York Practice course is an essential prerequisite for the Bar Exam. We strongly believe that this is not true. The other Civil Procedure courses in the curriculum give students an understanding of matters procedural adequate to prepare them to cope intellectually with anything the Bar Examiners may throw at them. The basic skill in handling procedural issues is not knowing what the rules are, but rather understanding their purpose and knowing how to use them. Since each of our courses is in-

tended to focus on understanding rules and how to use them, they should provide appropriate training for the procedural issues covered on bar exams. Of course, certain specific provisions of New York procedure must be learned. Indeed, since the Bar Examiners do not permit students to bring the CPLR into the exam, some memorization of CPLR provisions is necessary. Such memorization is best accomplished by students immediately before the examination and can be more than adequately done in the context of any reputable bar review course.

The second misconception is that the New York Practice course is academically necessary. We do not believe there is a significant enough distinction between the federal and New York systems of procedure to justify a four credit lecture course specifically concerned with the CPLR in addition to the three courses in federal procedure and jurisdiction currently available.

The third misconception is that the Dean has been somehow conspiring to remove New York Practice

from the curriculum. The fact of the matter is that after the sad news of David Kochery's untimely death reached us, the Dean discussed the future of the New York Practice course with us as a group. It was our unanimous view that the New York Practice course should be discontinued. Still, the Dean has consistently sought to develop an alternative approach to a course in New York Practice which took into account the wishes of the students.

One of the principal reasons we have written this letter is because we think that the Dean is taking a "bum rap". If there is any person or persons responsible for a decision not to offer a New York course, it is the Civil Proceduralists on the faculty. The four credit New York Practice lecture course is being dropped not because no one can be coerced into teaching it, but because we believe it is largely duplicative and, therefore, unnecessary.

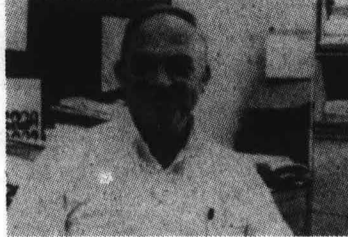
Robert Berger
Marshall Bregger
R. Nils Olsen
Paul Spiegelman

Associate Professors of Law

Professor Spanogle Will Visit Egypt To Assist In Agricultural Program

by Heather Byrne

Professor John A. Spanogle is traveling to Egypt this January. He plans to prepare a



Professor John "Andy" Spanogle

booklet interpreting the Egyptian regulatory system for agricultural specialists affiliated with the University of California at Davis.

Spanogle explained that the University at Davis has an agricultural extension program in Cairo and the agricultural experts there were encountering difficulty in fitting their recommendations into an Egyptian legal context. "The booklet," Spanogle said, "will be directed to Americans. It

will explain the regulatory system as it relates to agriculture." A wide range of topics will be covered, including water rights, land reform, marketing and financing.

While Spanogle has had extensive experience elucidating statutes and regulations, his formal exposure to the Egyptian legal system is limited. However, the professor maintains a lively interest in Egypt, and views his four month visit

as an opportunity for education and cultural enrichment for himself and his family, who will accompany him. "My wife is an amateur Egyptologist," he said. The Spanogles visited Egypt about three years ago and "enjoyed it enormously."

Spanogle hopes to share his forthcoming Egyptian experience with his students by eventually expanding the scope of his International Commercial Transactions course to include third world countries. "Very little has been done in this area," he said, "this trip will give me a good place to start."

Essay Contest Scheduled

Essay Contest

Authors wishing to enter the 1981 Federation of Insurance Counsel Foundation Student Essay Contest must submit their entry on or before May 1, 1981 with letter indicating school and eligibility (2nd or 3rd year law student at ABA-accredited school). The subject for the essay is any insurance related subject, including trial practice of insurance litigation.

Essays should be about 10,000 to 12,000 words in length and must be an original copy on 8 1/2" x 11" white paper. Footnotes and style should conform to "A Uniform System of Citation". The title, author's name and school should be typed on a separate sheet, and only the title on page 1 of the essay.

No essays will be accepted unless prepared solely for this contest by one author, has not

been previously published, and is not to be submitted in any other contest. By submission each entrant thereby assigns to the Foundation all rights to the essay. It is the policy of the Foundation to return and release the assignment of the rights of all but the three winning essays and any other that the Editor of the Federation of Insurance Counsel Quarterly considers worthy of publication.

First prize is \$2,000, second prize is \$1,000 and third prize is \$500. An author of any other

essay selected for publication in the Federation of Insurance Counsel Quarterly will receive an award of \$250.

Got Time to Read and Write?

LSD members interested in writing book reviews on current legal literature for the "Books for Lawyers" section on the *ABA Journal* should send writing samples, particularly published work, to Carrie L. Hedges, Book Review Editor, *ABA Journal*, 77 South Wacker Drive, Chicago IL 60606.

"Flip Charts" Aid Students

by K. Spencer

Contrary to previous impressions, the racks which were recently installed on library stacks are not for crying towels or for chin ups, but for the library's latest effort in demystifying legal research.

The flip charts now hanging are short instructional guides to the basic legal publications of case, statutory, and administrative law. Specifically, they cover Legal Encyclopedias, Federal Court Reports, New York Court Reports, Case Digests, McKinney's, the U.S. Code, the Code of Federal Regulations and Shepard's.

Each chart includes information on the purpose, arrangement and method of updating and follows through a specific research problem to demonstrate the use of the legal publication. For easy reference, the charts hang on the stacks containing corresponding materials.

The charts, a Spencer/Cascio production, were designed for the widest audience in an effort to aid unfamiliar law students as well as the ever increasing lay population who use the library. They contain the bare essentials for making the legal tools functional.

Legal research is a vital part of the profession. Anything that facilitates learning the use of basic research sources saves time and creates a better foundation for developing legal strategy and writing proficiency.

The producers welcome any feedback as the charts are currently under consideration for publication.

Freedman to Give Lecture

Professor Monroe Freedman, reporter for the American Trial Lawyer's Association, *American Lawyer's Code of Conduct*, will speak on "A Code of Ethics for the Legal Profession" on Tuesday, October 28 at 3:30 p.m. in the Moot Court room.

Freedman was former Dean of the Hofstra Law School and author of the influential *Lawyer's Ethics in an Adversary System*.

Freedman also serves as Director of the United States Holocaust Memorial Council, an organization recently created by the United States Congress.

Freedman's talk is arranged as part of the first-year ethics course but is open to all law students.

Last summer, more than 3,300 persons studying for the New York Bar Exam took BAR/BRI.

[Twice as many as all other courses combined.]

They did so because:

● **BAR/BRI has had a consistently high pass percentage.** At most major law schools last year, students taking BAR/BRI passed the New York Bar Exam on the first try with a percentage in the 90s and high 80s.

● **BAR/BRI offers written summaries of all the law tested on the New York Bar Exam—both local law and Multistate law.** Students learn the substantive law before going to class. Class time is spent focusing on New York Bar Examination problems, on hypotheticals and on the substantive areas most likely to be tested on the exam.

● **BAR/BRI has an unparalleled testing program—for both the Multistate and New York local portions.** The testing will include hundreds of Multistate and New York local multiple-choice questions, and local New York essays. Included are questions to be done at home and questions done in class under simulated bar exam conditions. Selected Multistate questions will be computer-graded, and selected essays will be individually graded and critiqued by New York attorneys.

● **BAR/BRI professors are more than just experts on substantive law.** They have accurately forecast many of the questions appearing on past New York and Multistate bar examinations. The faculty is composed of prominent lecturers on New York law, Multistate law and the New York Bar Examination. The 1981 faculty will include:

Prof. Richard Conviser, BAR/BRI Staff
Prof. Richard Harbus, New York Law
Prof. Stanley Johanson, U. of Texas Law
Prof. Kenneth Joyce, SUNY Buffalo Law
Prof. Gary Kelder, Syracuse Law
Prof. Jerome Leitner, Brooklyn Law
Prof. John Moye, BAR/BRI Staff
Prof. John Nowak, U. of Illinois Law
Prof. Alan Resnick, Hofstra Law
Prof. Faust Rossi, Cornell Law
Prof. Robert Scott, U. of Virginia Law
Prof. Michael Spak, BAR/BRI Staff
Prof. William Watkins, Albany Law
Prof. Charles Whitebread, U. of Virginia Law
Prof. Irving Younger, Cornell Law

BAR/BRI has the only New York bar review lecturer ever to receive five minutes of sustained applause for his lecture on the Rule Against Perpetuities.

● **BAR/BRI offers the maximum scheduling flexibility of any New York course.** In Midtown Manhattan, only BAR/BRI has consistently offered two live sessions (morning and evening) during the summer course. Afternoon videotape replays are available. In our larger locations outside Manhattan, we offer videotape instead of audiotape.

Locations already guaranteed videotape for Summer 1981 include: Albany, Boston, Buffalo, Hempstead, Ithaca, NYU/Cardozo area, Queens County, Syracuse, Washington D.C., and Westchester County.

● **BAR/BRI provides updates and class hypotheticals.** These handouts save valuable study time and minimize the note taking necessary in a BAR/BRI lecture.

● **BAR/BRI offers a special CPLR course taught by Prof. Irving Younger.** This program is in addition to the regular CPLR lectures contained in the winter and summer courses.

● **BAR/BRI offers a special "Take 2 Bar Exams" program.** This program allows students to be admitted to the New York Bar and another Multistate Bar.

● **BAR/BRI offers a free transfer policy.** If a student signs up for New York, does not mark his or her books and elects to take another state bar instead, all monies paid will be transferred to the BAR/BRI course in that state.

● **BAR/BRI offers the widest selection of course sites and allows students to freely switch locations.** Anticipated course locations for 1981 include:

Albany	Manhattan (NYU/Cardozo area)
Ann Arbor	New Haven
Boston	Newark
Brooklyn	Philadelphia
Buffalo	Queens County
Charlottesville	Rochester
Chicago	Suffolk County
Durham	Syracuse
Hempstead	Washington, D.C.
Ithaca	Westchester County
Manhattan (Midtown) Live location	

barbri 401 Seventh Avenue, Suite 62
New York, New York 10001
212/594-3696

New York's Number One Bar Review.

See one of the following student representatives before October 31, 1980:

Dorie H. Benesh
Therese Rahill
Renee Lapides
Francine Bruno
Joan Warren

Carla Gersten
Leslie Wolff
Michael Chakansky
Rosemary Gallick
Erik Lindauer

Arthur Scott Garfinkel
Jay Marlin
Paul Israelson
Winston Ellis
Patricia Jayne

Lew Rose
Tanya Harvey
Orest Bedrij
Ellen Dicks
Pat Dooley

Ruth Pollack
Christopher Reed
Mark Suzumoto

SBA Party

Friday, October 17

at 3 p.m.

3rd Floor

Be There! Aloha!

Students Enhance Oral Communication Skills

by Bob Siegel

The Law Students' Speakers Group, a newly formed organization at UB Law School, may prove to be of vital importance in assisting law students in enhancing their oral communication skills.

The goal of the organization is to teach students to be effective public speakers; not to bring legal scholars to the school to speak.

The Law Students' Speakers Group is organized as a workshop. Matt Newman, current President of the organization, developed the idea for this format. The workshop format enables the student to participate. Students at workshop sessions don't merely listen; they speak, learn, and criticize. This participation, combined with constructive criticism and feedback given on an individualized basis, teaches the student how to structure a speech and also provides invaluable experience in oral communication. According to

Newman, "If you become more involved in your speech, the message gets across better."

The aim of the group is to "bridge the gap" between the speaker and the listener; to improve the quality and clarity of the message the speaker is sending. It is hoped that this will, in turn, enable the listener to better understand what is being sent. The message is improved through criticism. As Newman points out, "Criticism is designed to alert the speaker as to how he can improve his speaking and communication skills."

The communications workshop is divided into seven sessions.

In the first session, Professor Charles Petrie from the Department of Communications discusses the "Principles of Effective Public Speaking." The guidelines he lays out provide a base upon which the student can build.

The second session can be considered a "feet-wetting"

stage. Everyone presents a 3-5 minute speech on any topic they choose. The third session is just an extension of the second. The topic stays the same while the time period is extended to ten minutes. These two sessions provide the student with their initial stage of participation. The unstructured nature of the setting allows the first-time speaker to relax.

The fourth session is more structured. A legal case is used so that an arguable question is presented. The goal is the creation of a persuasive ten minute summation. Since the purpose of the group is "to teach effective speaking" in general, courtroom form and procedure are deemphasized.

The fifth and sixth sessions again deal with the legal summation mentioned previously. At this juncture, however, each student will give his or her ten minute summation in front of 4 or 5 critics qualified to evaluate the performance. Each student will be given a one-half hour time slot in

which to perform and receive criticism, with possibly the opportunity to re-perform if time allows. As of now, the critics consist of professors and trial technique instructors. The group will try, in the future, to attract actors and body-language instructors to assist in the criticism.

"Students don't know their potential," Newman says. "They don't know what their limits are — we want students to see what they can do with speech." To give students the ability to see what they can do, the speeches given in front of the critics will be video-taped for later viewing.

The seventh, and final session, is an exact duplicate of the second session. The student gives a ten minute speech on his original topic. It is hoped that noticeable improvement will be shown.

The repetitive style of the workshop is purposeful. Repetition means that the student will be prepared as far as the substantive knowledge of

his speech is concerned. A person can not criticize a speaker's persuasiveness if the speaker doesn't even have a grasp of the material. An analogy to an actor is apropos: the director can't show the actor how the scene should be done if the actor can not even remember his lines.

The Law Students' Speakers Group is in its embryonic stage. Once developed, however, it may become a valuable asset to the law school.

The sessions this semester involving the critical review will be held at the law school on October 20, 21 and 22 from 7-10 p.m. All interested students are welcome to observe the summations given at this time. For more information concerning the organization, contact Matt Newman, Box No. 469.

SBA Seeks Assistance

The Undergraduate Student Association is attempting to increase student participation in various Faculty Senate Committees. There are a number of committees that are crying out for student membership. These include the committees on Academic Planning, Grading Policy, Admissions, Teaching Quality, and so forth. Those interested in participating in this collegial program should contact Matthew Modica, SBA Vice-President.

"The law, in its majestic equality, prohibits the rich as well as the poor from sleeping under bridges at night."

BLP Investigates Timely Public Policy Issues

by Marc Ganz

The Buffalo Legislation Project (BLP) has been asked to investigate a wide range of public policy issues for use in the next legislative session by state and local legislators. According to Jeremy Nowak, editor of BLP, "the topics are timely and of concern to citizens across New York State."

Both conservative and liberal legislators are participating in the BLP program. They have asked for advice in statutory areas ranging from open meetings law revision and energy education to higher education financing and foreign ownership of local farmlands.

For example, Senator James Donovan (Rep.-Chadwicks), known in Albany for his anti-abortion and pro-death penalty stances, has asked BLP for advice on two policy issues. The first proposal involves setting up a series of local educational programs in energy conservation education. Mr. Donovan, the Senate Education Committee Chairman is also asking for bill-drafting assistance to aid efforts to revamp the vocational education (BOCES) field. Both of these areas are of great concern to government leaders as they attempt to cope with energy and unemployment problems.

Liberal Assemblyman Robert J. Connor (Dem.-Spring Valley), known in Albany for his environmental and corporation reform efforts, has also asked BLP to launch a study of legislative management systems, with an eye towards cutting waste from this state's legislative branch.

Assembly Majority Leader Daniel Walsh (Dem. - Cattaraugus County) is worried

about homeowners victimized by soil erosion or flooding. The BLP proposal he submitted involves drafting a bill setting up a financial assistance program for the soil erosion victims. This BLP project exemplifies the program's public service function. In addition, it never hurts to have an ally like the Majority Leader at budget time.

Another ally at budget time is Senator Kenneth LaValle (Rep.-Suffolk), who has asked for assistance in researching foreign ownership of the

state's farm lands. BLP members will explore constitutional issues involved in restricting land sales. Senator LaValle is the Senate Higher Education Committee Chairman and a longtime ally of SUNY. Thus, SUNY students may have an opportunity to help an individual who helps keep down tuition costs.

Perhaps the most important issue at UB has been the impoundment of UB funds by the Governor's Division of the Budget. The DOB has stopped the payment of money already

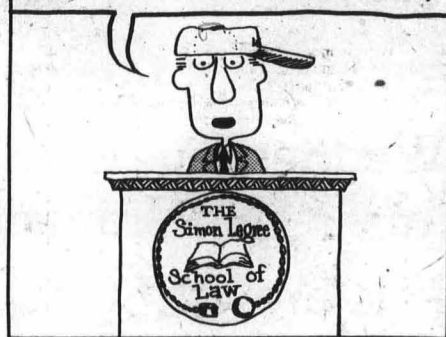
appropriated by the legislature to the School. Local Assemblyman John Sheffer has asked BLP to examine the constitutionality of this fiscal maneuver.

BLP members will soon decide what projects they will undertake for the semester. Later this semester, BLP will solicit projects from interested legislators. As Nowak concluded, "We feel we do a public service and add much to the school's legislative work. We're optimistic for the future."

Loophole

by hal malchow

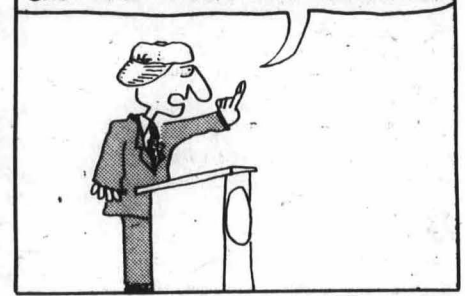
MY NAME IS LOOPHOLE LASSITER. DEAN WINDWIMPER HAS ASKED ME TO ADDRESS THIS ORIENTATION GATHERING ON THE SUBJECT OF STUDENT LIFE AT LEGREE. RATHER THAN READ MY PREPARED TEXT,



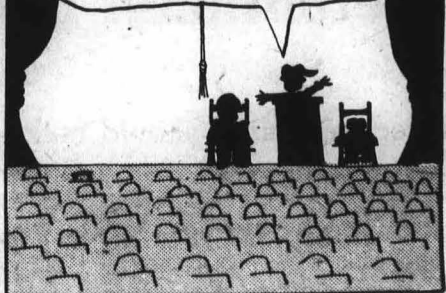
I HAVE DECIDED TO GIVE YOU THE TRUTH. LAW SCHOOL IS A CESSPOOL OF INJUSTICE. A MALEVOLENT MOUNTAIN OF MISERY LURKING IN THE PATH OF EVERY TWO BIT HISTORY MAJOR SHOOTING FOR THE BIG TIME. IF YOU WANT TO GET THROUGH, YOU GOTTA PLAY BY THE RULES.



RULE ONE: NO TOGA PARTIES DURING EXAM WEEK. A BITTER SACRIFICE BUT WHO PROMISED NIRVANA? RULE TWO: NEVER FORGET THAT SOCRATES DIED FROM HIS METHODS. WHEN IN CLASS KEEP YOUR HEAD DOWN, YOUR MOUTH SHUT AND ALWAYS PASS THE HEMLOCK.



RULE THREE: DO NOT REFER TO DEAN BLITZKRIEG AS DOCTOR STRANGELOVE. THE DEAN IS A SENSITIVE HUMAN BEING WHO DEEPLY REGRETS HIS PERIODIC INDULGENCE IN AUTHORITARIAN...



AS MISTER LASSITER WAS SAYING, DILIGENT BRIEFING, PERSONAL OUTLINES AND A POSITIVE MENTAL OUTLOOK ARE THE KEYS TO LAW SCHOOL SUCCESS.



001

Record Rack

Christmas Releases Begin With Two Major Live Albums

by Mike Rosenthal

Kenny Loggins "Alive"
Supertramp "Paris"

This is the time of year when most major acts who aren't ready with new material for a new studio set usually throw together live material for a live album, or hit studio material for a "best of" collection. Such collections always seem to monopolize the holiday season record retail business and last year's two biggest sellers Donna Summer's "On The Radio Greatest Hits Volumes I and II" and the Bee Gees "Greatest" demonstrate this. However, all too often the albums seem like they were thrown together with no other purpose than to capitalize on the market situation. The Greatest Hits albums put out for the Steve Miller Band two years ago, and the Electric Light Orchestra last year were not backed up by hits spread out over enough albums to justify such collections. Last year's live Village People album suffered from that problem as well as the fact that there was nothing about the group that a live album could expand upon.

Gratefully, this is not the case with either the live albums recently released by either Kenny Loggins or Super-

tramp. Kenny Loggins has developed a rapport with an audience unequalled by many bigger stars. He manages to get incredible audience participation. He delivers a wide range of music, and never stilted one album because of a concentration on the music from his latest ones. Furthermore, he is always writing and therefore, new songs are always bound to crop up in performance. And further still, his love for good music never overpowers his pride and he will perform someone else's song if he feels that the song is of sufficient merit.

These factors all gel together on "Alive" to create a magical musical tapestry. From the opening notes of his first solo single, "I Believe In Love" straight through to the last notes of his recent single "Keep The Fire" it is obvious that Loggins enjoys performing, enjoys getting his audience involved, and puts his all into the concert. Many of the songs sound even better here than their studio versions did. "Angelique", an overlooked song from his Nightwatch album is given a virtuoso performance. "What A Fool Believes", a song he co-wrote, here comes a lot closer to the melodic funk of the Doobie Brothers version than this original, pre-Doobies, version did.

Other excellent performances include the Beatles' "Here, There, and Everywhere", "I'm Alright", "Now And Then", "Junkanoo Holiday", "Keep The Fire", and "Celebrate Me Home". The audience participation on the latter illustrates what his fans have known for a long time, in concert Loggins' is, truly "Alive".

What separates Supertramp's "Paris" from most live albums is the fact that this album really was one concert recorded on one night. Considering this, the quality of the overall sound would be expected to be of a poorer quality than many live albums which using modern technology and several concert dates sound very sharp and clear. Surprisingly though, this has about the best sound quality of any live album that I have ever heard.

The song selection is a pretty even distribution of cuts from the last four albums with the addition of one new cut. Several of the songs were slightly rearranged to have more of the Breakfast In America Supertramp style, but none were altered enough to alienate a fan of the original version. The hits are here, for the most part, as are many lesser known, but equally deserving cuts. All in all,

Supertramp has lived up to its reputation.

Briefly...

Barbra Streisand "Guilty"

The best female vocalist of our times, in terms of range and artistry, has flirted with disco a few times in recent years and has come up with two good, but eventually grating hits in the form of "The Main Event" and "No More Tears (Enough Is Enough)". Therefore, when it was learned that Guilty was to be completely written and produced by a Bee Gee (Barry Gibb) one had to ponder what musical direction she was heading in. Would this be an album of typical Bee Gees disco-based music? The release of the first single "Woman In Love" answered the question. First, it was a ballad. Secondly, her voice was used to its full capability. Thirdly, although there was a heavy influence of Barry's musical stylings, the song was Barbra's. This is pretty much the way the album goes too. Even on the most Bee Gee's influenced song, one of Barbra's two duets with Barry Gibb, "Guilty", it still sounds as if the song was written with Barbra's unique abilities in mind. Barbra is in top form here, and while all the songs are not of the same level of quality as the two aforementioned songs, the songs are all

extremely listenable because of the voice performing them.

Teddy Pendergrass "T.P."

This is the finest album by one of the best soul stylists around. Pendergrass has a smooth soulful voice which he knows how to put to good advantage. There are more ballads than any of his other albums, and the uptempo songs are less disco-tized than his other uptempo songs in the past have been. His remakes of Ashford and Simpson's "Is It Still Good To Ya" and Peabo Bryson's "Feel The Fire" are far superior to the original versions. The latter is one of the album's two duets with Stephanie Mills and the two of them sound great together. The album's top cut however is the current single "Can't We Try". Its intensity, sincerity and beauty are what make Pendergrass tops in his field.

Jethro Tull — "A"

Tull is still making good albums but they are all beginning to sound vaguely familiar. While some of this album is quite pleasant listening, nothing here sounds fresh or new. If Ian Anderson has run out of ideas, maybe altering his band is not the answer. Maybe, he should seek out some outside writers to inject some new life into a dying group.

"Portrait of Teresa" to be Shown Here This Week

Portrait of Teresa, an explosive new Cuban film which is showing at the University this Friday, raises issues that go right to the heart of the Cuban woman's situation. Focusing on the personal, human problems created by the revolution, the film has stimulated enormous debate within Cuba about the changing nature of the relationship between men and women, the effectiveness of the new family code, the relationship between material conditions and socio-psychological attitudes and the existence of the still prevalent "double standard."

Teresa, harried young mother and textile worker, puts in a typical long day of cooking, laundry, cleaning and factory work. In addition she works at night as an organizer for her factory dance troupe, a job that she performs well and needs in terms of creative outlet and self-esteem. A slapping brawl results when her husband angrily accuses her of "neglecting her sacred duties as wife and mother." Her response, "What about my life as a human being?" brings out into the open the conflict between woman as part of the traditional family and woman as a full member of Cuba's revolutionary society. When Teresa complains to her mother about the unfairness of the double standard that subsequently allows her husband to save his ego by having an affair, her mother replies,

"Men are men and women are women, and even Fidel can't change that."

The fact that the film has already been seen by one-fourth of the Cuban population and is still being hotly debated indicates that perhaps the Cuban people are ready to tackle the issues of women's lives at a higher level of struggle than has previously been the case. According to the film's director, Pastor Vega, "the traditional family, inherited from Spanish society, is in a state of permanent crisis because the stimulus provided the Cuban woman by the revolution has made it clear that this familial structure won't work any more." Notwithstanding the absence of a Cuban revolution in this country, the relevancy of *Portrait's* themes to our own changing society is clear.

The film, cosponsored by the Women's Liberation Union, the National Lawyer's Guild and Women Studies College will be shown on Friday, October 17th at 150 Farber on the Main Street Campus and on Saturday, October 18th at the Langston Hughes Center, 25 High Street. Both showings are at 7:30 and will be followed by an informational discussion about Cuba today led by two women recently returned from Cuba. A donation of \$2.00 will be requested on Friday; child care provided for both showings.

UUAB Music Committee and FM 88 present An Evening of Latin Jazz with Airtio and Flora Purim



On Wednesday, October 29, at
8 p.m. in the Granada theatre.

Tickets are \$4.00 for students
and \$6.00 for non-students.

The International Law Society

Open House

Thursday, October 23

Those interested in joining should make the effort to attend.
Coffee and doughnuts will be served to the deserving.

Room 604, 9 a.m. to 1 p.m.

Reflections On Seasons Beginning And Ending



by Joe Peperone

Once again we enter the month of October, the sports fan's opium. Baseball is winding down toward the World Series, the football divisional races are starting to shape up, and hockey and basketball teams are beginning their 1980-81 seasons. It's as good a time as any to look back at what has been happening in sports, what is happening, and what is to come.

Baseball has had another record year in attendance, fueled by three divisional races which weren't decided until the last weekend of the season, and the torrid bat of George Brett, who ended the year batting .390 — the best average since Ted Williams hit .406 in 1941.

While baseball's popularity boom seems endless, the owners should continually try

to improve their product. In my opinion, the National League owners made a big mistake in voting against using a designated hitter in their games next year. The DH, as used in the American League, has helped keep many older, popular players in the game, which boosts attendance. It also avoids having to watch Nolan Ryan bat four times a game. Many National League hitters, such as Joe Morgan and Willy Stargell, could prolong their usefulness and careers by years if the DH rule is introduced in the National League. Let's hope the owners see the light next year.

Would you believe... as of this writing, the Buffalo Bills are the only undefeated team in the NFL. My 10-6 prediction looks pretty good at this point, but it will be a battle for the team to qualify for the playoffs. Their schedule is the toughest in the NFL, and even the "weak" teams they have to face, such as Baltimore and Atlanta, are also having excellent years.

What has surprised so many people about the Bills, as a recent Sports Illustrated article noted, is that they've accomplished their amazing turnaround on defense with essentially the same personnel

as last year's squad. Isiah Robertson moving to his natural right side linebacker position and Fred Smerlas replacing Mike Kadish at nose tackle are really the only changes.

There has been only two new starters in the offense as well, but they've been a big reason why the Bill's offense has been so effective in both scoring points and eating up the clock. Conrad Dobler has helped the offensive line become potentially better than the old "Electric Company" of the O.J. days. This line can block for the pass as well as the run. And you can't say enough about Joe Cribbs — he's brought a new dimension to the offense, through both his quickness at bursting through the line and his ability to catch the ball on short patterns.

Depth is still a big problem with the Bills, especially now that injuries have hit their secondary. But if the team can win two of their next three games, against Baltimore, Miami and New England, it may just be playoff time in the snow-belt this year.

In hockey, the season will start with new rules, which will hopefully curb violence on the ice. If a fight breaks out between two players, the other

players on the ice must move to "neutral corners", one for each team. Failure to do so will result in a 10 minute misconduct for the offending players. As for the fighting players, if one persists in his battling after the referee and the linesmen have intervened, he will get a two minute penalty in addition to his fighting penalty. The league hopes this threat of leaving their team shorthanded will deter fights, or at least long ones. However, it remains to be seen whether the referees will actually use this lever against certain players of certain teams. All too often, the referees have just given the same penalties to each player involved in a fight, despite the fact one was the aggressor, which has just encouraged an unskilled player on one team to beat up on another team's quality player, knowing if both go to the penalty box — it will help the unskilled players' teams.

The biggest story in NBA basketball is happening off the court. Over the summer, it was claimed by a Los Angeles newspaper that perhaps up to 75% of NBA players use cocaine on a semi-regular basis. Needless to say, this hasn't set too well with NBA Commissioner Larry O'Brian, who has appointed a commission to in-

vestigate the charges. It's not the only problem he has either. The NBA had yet another year of poor TV ratings, with many markets, such as Buffalo, not even airing half the games the network feeds them. Attendance is down for league games, and a new franchise has been given to a city which has had a history of not supporting basketball teams, Dallas. Will Darrell Dawkins break a few more backboards this year? Stay tuned.

Finally, I'll come clean. I gave up a chance to go to the Peter, Paul & Mary concert last week and went to the Holmes-Ali fight at the Buffalo Convention Center. I was betting on being in on some history, but I was sadly disappointed. The fight was a farce; Ali was never in it. Word now is that Ali is claiming a certain drug he took was responsible for his lackluster, tired performance in Las Vegas, and that he may come back once more. My advice to him is to retire with some grace. It was no coincidence that the fight was scheduled on October 2nd, just after government checks came in the mail. A lot of people put up needed money to watch their hero, and if what I heard after the fight from various people was true, people were not merely disappointed, they were angry. The mood of the people seemed to be that they had been ripped-off. I don't think they, and I, will be so easily fooled again. Remember, Ali — you can't fool Mother Nature!

Which Model Does The Public Desire?

by Alan Beckoff

"May I help you, ma'am?"
"Yes, young man. My nephew's birthday is coming up and I'd like to get him something special."

"Do you have something that's tough, honest, and right for the 80's?"

"I'm sorry, but the Howard Baker model didn't sell too well and we had to send them back to the manufacturer."

"What's that one over there? It looks very Presidential."

"Oh, the John Connally model. The manufacturer spent over \$11 million in R&D on it and had only one buyer."

"My, that sounds very expensive. How about that one wearing the shirt with the little alligator on it?"

"The George Bush? This one started out selling like hot-cakes, but then the momentum ran out. Now we give it away free with every purchase of that one on the right."

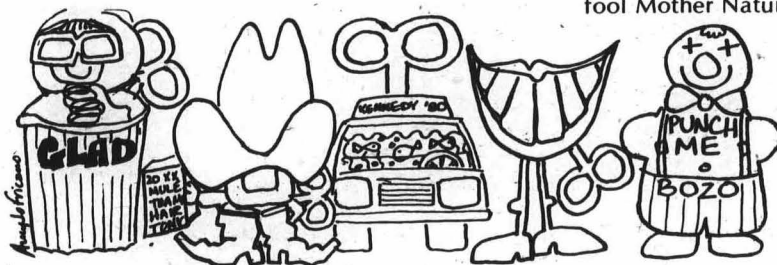
"The one in the cowboy outfit?"

"Yes, the Ronald Reagan model. It's becoming very popular with people who wouldn't consider buying it a few years ago. But for some reason, the time is now for Reagan."

"Perhaps some other time."

Do you still carry the John and Jackie set?"

"No, ma'am, but we did have a Ted Kennedy model, which was put out by the same manufacturer up in Boston. Funny thing about this model — the manufacturer took a



"There's always your Standard Bozo."

marketing survey and found strong demand for an updated version of the John Kennedy model. So he flooded the market, but the demand dried up pretty fast. The day after the model was discontinued, the demand increased again. Now the manufacturer suggests that if you liked the Kennedy model, you'll be just as pleased with this one."

"The Jimmy Carter model? Oh, no, I bought one of those four years ago. It was a wonderful novelty at the time, but soon I wished I had stuck with one of the old models."

"Why?"

"It wasn't acting very presidential. And now that its warranty is up for renewal, the Carter model is suddenly acting very Presidential. Too Presidential, I think — much like the Nixon model was before we had to throw it out. We gave it plenty of electricity, but it was just abusing the power. That's what the Carter model is doing now."

"Maybe you would be interested in the John Anderson

model. This and the Reagan were originally put out by the same manufacturer, but earlier this year the Anderson division of the company went independent. It seemed inevitable ever since the Rockefeller model was discontinued. Interestingly, the Anderson model is attracting more potential Carter buyers than Reagan buyers. The Carter manufacturer's R&D division also did some tests and found that the Anderson model somehow draws power from the Carter model which is then transferred to the Reagan model, which then goes wild and wrecks the house. In fact, the Carter slogan is 'A volt for Anderson is a volt for Reagan!'"

"Do you still have the FDR model?"

"Not anymore. The Ted Kennedy manufacturer salvaged what was left of those to make his model."

"Maybe I'll just get my nephew a model airplane."

"Well, a subsidiary of the Carter company just put out this new one called 'Stealth'..."

LAWYERS WANTED!

Box 500 Call toll-free 1-800-424-8580
LAWYERS WANTED: Great clients, tough cases, sweet victories. Whether it's assisting consumer fraud, or setting up a whole new community corporation, there's no better, no tougher, no more rewarding work than being a VISTA lawyer or para-legal firm.
LEGAL SECRETARY: Experience preferred but will accept training.

VISTA, Volunteers in Service to America
Information meeting: November 10, 1980, 4 p.m.
Interviews: November 12, 1980, 9 s.m.-5 p.m.
Contact Placement for Locations/Appointment

Survey Depicts "Typical Freshman"

Who would you be if you were "The Average Freshman" entering U.B. law school this fall? Where did you come from and how did you get here? Where do you think you will be going?

Allan Canfield has recently tabulated the results of a survey of the in-coming class taken at Orientation. Of the 282 first year students, 149 completed the voluntary survey. Please bear in mind as we attempt to reconstruct "The Average (and only the responding) Freshman", that is roughly four-sevenths of the class.

Of those answering, the "Average Freshman" has a 59% chance of being male and a 40% chance of being female. 1% were apparently undecided. This ratio is a substantially accurate representation of the actual entering student population. Minority students comprise approximately 7% of the class.

If you were average freshmen answering the survey, there is a 41% chance you came here directly from undergraduate school or had taken off but one year. If you didn't come here directly from college, you've probably waited at least four years before returning to academia.

You would have a 32% chance of being between ages 23 and 26, and a 25% chance of being over 30. Otherwise, you are probably 22 or younger.

As an undergraduate, you worked hard, studying about 25 hours per week. Your bachelor's degree is most likely in the Social Sciences, Business or History. You would have only a 13% chance of having earned any degree beyond your bachelor's.

When you applied to law school, you either applied only to U.B., or you applied to five or more schools.

You are more likely to be married than if you had entered a few years ago. But you probably don't have kids.

Chances are, you grew up in Western New York. You are clearly more likely to be from New York State than any other state.

You probably came from a

typical 1950's family, having one mother, one father and 2.3 children. Your father is just as likely to be a professional (non-lawyer) as a blue collar man. Your parents' combined income is probably between \$21,000 and \$30,000, a low to average figure for Buffalo. There is a 40% chance your mom is not working outside the home.

It is not surprising the "Average Freshman" is low on cash; 66% of the survey respondents cited loans as their chief means of support during law school. 42% of the answering class expects to go into debt in the amount of \$10,000 to \$15,000 in three years.

Odds are 9 out of 10 the "Average Freshman" is not a veteran. Now both sexes probably hope that statistic holds true for the next few years.

In terms of the future, you probably plan on staying in Buffalo, or going back to your home part of the state. More people plan on staying in Buffalo than grew up here. The same is true for those planning to live in New York City. If you are a New York State native, you are more likely to be planning to live in another state after graduation than New Yorkers from previous classes.

The most surprising thing about "Average Freshman's" vision of the future is career interests. You are most likely to be thinking of working for the government when this ordeal is over. Otherwise you're of the opinion you would like practicing with a small firm.

Survey respondents from previous classes generally thought they would prefer medium sized firms, and were significantly less interested in government jobs when they started law school.

At any rate, right now you think you are going to a law school ranking in the "top 25%" of all such institutions. You also think your undergraduate education has prepared you pretty well for this endeavor. And if a few weeks of law school doesn't have you thinking like a lawyer yet, you're convinced money and power are the last reason you came to law school.

Volunteers Are Contacted

The Peace Corps and VISTA (Volunteers In Service To America) have launched a major campaign aimed at contacting former volunteers in the two programs who now live in upstate New York. More than 8,000 New Yorkers have served in the two volunteer programs.

Tom Verhulst, area manager for upstate, says contact is being sought with the former volunteers "to keep them abreast of what Peace Corps and VISTA are doing now, to provide them an opportunity to meet with each other and to get them involved as a group with their own communities."

Former Peace Corps or VISTA volunteers now living in

New York should call Verhulst toll-free at 1-800-462-4243 for further information, or write the Peace Corps/VISTA Recruiting Office, 317 Federal Bldg., Rochester, NY, 14614. "These former volunteers," says Verhulst, "can continue to play an important role in the Peace Corps and VISTA. They are the ones who've interacted with other cultures and other segments of our own society. And that's what Peace Corps and VISTA are all about — people getting to know people. We need their opinions, their help and their participation to keep the programs vital and successful."

Parking Tickets Pose Problems

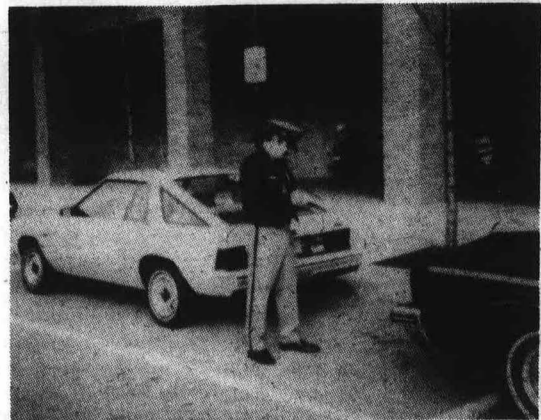
cont'd. from page one

guaranteeing them \$40 for, perhaps, a single one-hour court appearance. "If it comes down to paying overtime or letting the tickets get dismissed," continued Griffin, "I guess we're going to have to pay the overtime. It's not cost effective, but we'll have no choice."

Constitutional Law Professor Jacob Hyman referred to the situation as an example of "costs of decent process becoming prohibitive." Hyman added, "Regulations cost money and this situation is typical of the costly problems involved in assuring due process of law."

Assistant Director of Public Safety Jack T. Eggert cited communicational problems between the North campus and the Amherst Town Court, where the cases are resolved. "We didn't know anyone was contesting tickets," maintained Eggert, "until very recently. As a result, ticketing officers had no way of knowing they were to appear in court."

Griffin, in an attempt to



Campus Security Officer tickets parked car in front of law school.

remedy this problem in the least costly manner, has assigned Little to the Amherst courthouse one night a week when the traffic cases are heard. "Lieutenant Little will serve as a deterrent to all those trying to beat the system," admitted Griffin. Griffin hopes the mere presence of an Amherst campus officer will induce students to drop, in court, their "not guilty" pleas.

A parking ticket acts only as a summons for the defendant to come to court or pay his fine as an admission of guilt. Since it is not possible for the court to question or for the ac-

cused to cross examine a parking ticket, Griffin's facade of having Little present would not address the constitutional issue of due process.

"Little will also serve," said Griffin, "to answer any complaint questions which alleged violators may have and to aid the court with any questions it may have regarding campus security behavior."

When asked why he had not dealt with this problem before *Opinion* brought it to his attention, Griffin abruptly replied, "It's none of your business why officers haven't shown up in the past!"

Death Sentence Recalls the Past

The following is a verbatim transcript of a sentence imposed upon a defendant convicted of murder in the Federal District Court of the Territory of New Mexico many years ago by a United States Judge, sitting at Taos in an adobe stable used as a temporary courtroom.

"JOSE MANUEL MIGUEL XAVIAR GONZALES, in a few short weeks, it will be Spring. The snows of Winter will flee away, the ice will vanish, and the air will become soft and balmy. In short, JOSE MANUEL MIGUEL XAVIAR GONZALES the annual miracle of the years will awaken and come to pass, but you won't be there."

"The rivulet will run its soaring course to the sea, the timid desert flowers will put forth their tender shoots, the glorious valleys of this imperial domain will blossom as the rose. Still, you won't be here to see."

"From every treetop some wild woods songster will carol his mating song, butterflies will sport in the sunshine, the busy bee will hum happy as it pursues its accustomed vocation, the gentle breeze will tease the tassels of the wild grasses, and all nature, JOSE MANUEL MIGUEL XAVIAR GONZALES, will be glad, but you. You won't be here to enjoy it because I command the sheriff or some other officers of the country to lead you out to some remote spot, swing you by the neck from a notting bough of some sturdy oak, and let you hang until you are dead."

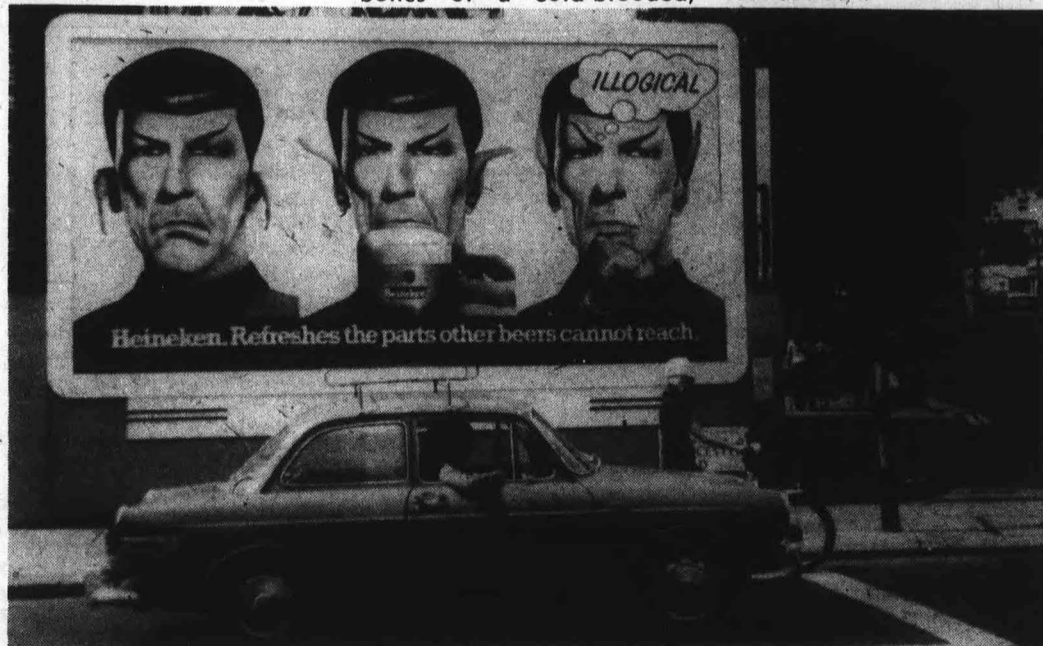
"And then, JOSE MANUEL MIGUEL XAVIAR GONZALES, I further command that such officer or officers retire quickly from your dangling corpse, that vultures may descend from the heavens upon your filthy body until nothing shall remain but bare, bleached bones of a cold-blooded,

copper-colored, blood-thirsty, throat-cutting, chili-eating, sheep-hearding, murdering son-of-a-bitch."

UNITED STATES OF AMERICA
vs. GONZALES (1881)
UNITED STATES DISTRICT
COURT, NEW MEXICO TERRITORY
SESSIONS

A Call to All Ball Captains

SOFTBALL CAPTAINS — A future issue will contain a review of the Law School Softball League. If you want some free publicity, and like to see your name in the paper, please drop off a brief description of your team's games to date, including scores, highlights, and valuable players to the *Opinion* office article bin outside Room 623 by Sunday, October 19th at noon.



Here's one for all you trekkies... live long and prosper!

Ralph W. Peters