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THE OPINION

Moot Court Wins Again

Two students from the SUNY at Buffalo Law School were named the winning team Saturday at an international law Moot Court Competition held in Albany.

The students, Peter J. Bush of 828 Elmwood Avenue and Paul F. Stavits of 75 Grant St., received a trophy as the best team in the competition, sponsored by the American Society of International Law and the Albany Law School.

They competed against teams from Canada and the northeastern United States. As winners of the regional competition, Mr. Bush and Mr. Stavits will participate in the finals of the Jessup International Law Moot Court Competition, to be held in

Washington D.C. on April 30. In the finals, they will compete with seven other teams from Europe, South America, and the United States.

In the regional competition last weekend, the Buffalo students defeated law school teams from the University of Pennsylvania, the University of Michigan, Albany Law School, Syracuse University, DePaul University, the University of Pittsburgh, and the University of Toronto.

The hypothetical case argued by the teams involved a hijacking incident, in which a passenger aircraft on an international flight was diverted from its course by two members of a militant

political organization. The hijackers murdered two security guards aboard the plane, and they destroyed the aircraft after landing. The hijackers were granted political asylum by the government of the state in which the plane landed.

The hypothetical case was brought by the government of the country in which the airplane was registered against the country which granted political asylum to the hijackers. The case was argued by the teams as if it were being decided by the International Court of Justice in The Hague, The Netherlands.

Mr. Bush, a senior at the law school, is chairman of the Moot Court Board. Mr. Stavits, a junior, is a member of the Moot Court Board. The team was advised by Professor Thomas Buergeth of the law school faculty.

Graduation Plans Still Uncertain

The student Graduation Committee met with Dean Angus and Professor Greiner Monday to try to iron out the difficulties that have arisen over the conflict as to whether William Kuntzler should be allowed to speak at the Graduation ceremony this year. The students, Jeff Frank, James Rogers, Roy Wixson, Steven Singer, Jojo Seggio, Murray Grashow, Richard Rosche and Sandra Kay, reported that although nothing was resolved, a greater understanding of the problem was achieved through the discussion.

The problem arose when the Graduation Committee, pressed by a lack of funds, asked Richard Rosche to secure a speaker for the ceremony. Through friends, Mr. William Kuntzler was contacted and conditionally accepted. News of this prompted a strong reaction from many quarters, especially from certain members of the Erie County Bar. A meeting was held with Dean Schwartz on Thursday at which time he stated that he felt it was not in the best interest of the Law School to have Mr. Kuntzler speak at graduation because this would greatly impair relations between the school and the legal community. A number of students disagreed with this position.

The Senior class feels that because the funds come from the SBA the speaker should be chosen by them. The faculty position is that graduation is a joint student-faculty affair and therefore the speaker should be decided jointly. At the present time the solution to the problem is still uncertain.

Rowan Speaks At Law School

The Distinguished Visitors Program for this semester was ushered in with a presentation by Steve Rowan, News Director of Channel 4 and former CBS correspondent in Viet Nam and at the Pentagon. Mr. Rowan, speaking before a capacity crowd in 110 (stifling as usual) sighted in on the American experience in Southeast Asia for the bulk of his presentation. He concerned himself primarily with the history of our withdrawal from the mess we got ourselves into there. Nixon's original withdrawal plan was to remove 20,000 men a month, which would have left 140,000 GI's there today. According to Mr. Rowan, Saigon commander Creighton Abrams has been constantly pointing out reasons for procrastination to President Nixon, which has resulted in the removal of only 12,000 troops a month with the low point of 140,000 to be reached sometime next summer. In regard to Abrams' replacement of Westmoreland as the head of American forces in Southeast Asia, Mr. Rowan pointed out that Westy basically wanted to get out after four years of commitment to a search and destroy

methodology which was not panning out. He considered Abrams, whose major experience has been in armor - a relatively ineffective combat arm in Viet Nam - to be a surprize choice, but noted that Westmoreland's successor had the flexibility of mind to follow LBJ's directives to cut casualties during the latter part of his term in order to give an impression to de-escalation (which might have been helpful to HHH's campaign, if believed?).

In discussing the influence of the military on the President, the former CBS Pentagon correspondent observed that no military man is really close to Mr. Nixon. The Joint Chiefs of Staff usually work within the system, thru the Secretary of Defense to the President and his staff. While there is little direct contact, Mr. Rowan pointed out a powerful source of indirect influence stemming from a rather close relationship between the JCs and Henry Kissinger, one of the closest advisors to President Nixon. One important factor in considering the impact of the military on decision-making was

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Symposium

Towards New Understanding

On March 23 Phi Alpha Delta Law Fraternity International sponsored a legal symposium entitled "Law Enforcement and Civil Rights" in Norton Union on the Main Campus. Just one short year ago, to have mixed police, district attorneys, with controversial defense attorneys and students would have been a politically dangerous and extremely tense situation. That was not the case in the filled auditorium of Norton this year when Willard Meyers III, Defense Attorney of the "Buffalo 9," and John H. Whalen, Former Under Sheriff of Erie County and Former Chief of Detectives Buffalo Police Department, met along with Thomas G. Kobus, Assistant District Attorney (last minute replacement for Michael F. Dillon, District Attorney of Erie County), Paul I. Birzon, Defense Attorney and Lecturer at UB Law School, and Miles Kavalier, Justice of PAD Alden Chapter. Due to sudden illness Hon. Joseph S. Mattina, Judge of County Court was unable to attend.

It was interesting to note the consensus of the panelists as they addressed themselves to the topic of "Law Enforcement and Civil Rights." They agreed that in times of crisis and highly emotional situations it was imperative to retain civil liberties which have been held for centuries as basic to a citizen's rights. Addressing themselves to First Amendment Rights, i.e. free speech and assembly and bail and its application, several of the members showed concern over the possible erosion of these Rights by the concept of "preventive detention." Mr. Meyers pointed out that today a prisoner may spend between a year to a year and a half waiting for a trial in



Panel responds to questions at recent symposium at Norton Union's Conference Theater.

which he may be acquitted, yet all of this time he is denied his freedom and incarcerated in over crowded jails and prisons which only breed crime.

Commissioner Whalen brought to light the great onus that is given to the policeman today. Faced with the knowledge of why people need him and yet reject him, Mr. Whalen presented the difficulties facing the police and their duties in American Society. He placed the policeman as a man in the middle enforcing what society wants him to enforce, demanding that he be sensitive, yet at the same time capable of robot superhuman skills, all for \$7,000 a year.

The panelists agreed with Mr. Whalen's remarks concerning the need for a more intellectualized police force and Professor Birzon hoped greater money could be spent for academies and training

of police for the tremendous sophistication needed in interpreting and implimenting the laws today.

There was disagreement however among the members as to where change was to take place. The lines were drawn between Mr. Meyers and Mr. Whalen most clearly in this instance. Mr. Meyers viewed certain actions of the police as being controled by certain vested interested groups, and contended that the people should control the police and what they do as far as policy questions are concerned. He advocated a Police Review Board, greater pay, and greater care in the selection of police, indicating that the days of the physical titan were gone.

Mr. Whalen contended that the police are a reaction to society and not a product. He suggested

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Editorial

Reading Week

This year, once again, a reading week has been proposed to alleviate the work load of students during the period preceding examinations. This year, also once again, the same objections to the idea have arisen.

The opponents of the reading week contend that although it has some merit it is impractical, unrealistic, and unachievable. They point out that there is no place to schedule such a week without either dropping below the mandatory number of weeks of study set by the Court of Appeals or, on the other hand, delaying finals to the extent that Senior grades will not be available by graduation. They further point out that compressing the examination schedule will cause more harm than any benefit achieved from a reading week.

While we realise the difficulty in scheduling such a week, as evidenced by the failures of previous years, we believe that the benefit from such a break could significantly increase the value of this semester's courses. Under the present schedule, some students will face their first exam a mere two days after their last class. This is clearly an insufficient period in which to pull together an entire semester's work. The stories of Professors using the last week of classes to "catch up" by covering two or three weeks worth of material are numerous after each exam period. To have to face a final exam within a few days of the last class of such a course is a shattering experience from which no one benefits.

We therefore urge the Administration not to consider, but to implement, a reading week *this year*.

THE OPINION

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Letters To The Editor

To the Editor

Law wives tried unsuccessfully this past year to get funds from the Law School to help our organization function more efficiently. Unfortunately, funds were denied and we have just managed to operate on our dues. Dues have gone towards our monthly newsletter sent to all dues paying members to inform them of meetings, our fall recruiting tea, our spring farewell banquet, one of our monthly speakers, and other needed supplies. Even these meager expenses surpassed our budget and we found it necessary to have some fund raising affair which we did - in the form of two box lunch sales at the law school lounge.

Our organization has some 50 active members. We have two meetings per month one at which a speaker is present. Some of the speakers included - Mr. Lee Nisbet's replacement - The Pollution of Lake Erie, Prof. Larson - Sex and the Law, Mrs. Schwartz - Women's Lib, Dr. Daphne Hare - Contraception, Adoption and Population Pollution - along with many others. We have given contributions of magazines, books, jewelry to the girls reformatory and had several

affairs with our husbands.

Our organization is made up of women who not only have the desire to see their husbands get thru school successfully, but who also wish to help the school and community. Perhaps in the future the law school and Law Wives organization can serve successfully to benefit one another.

Gay Blazak

President Student Law Wives

To the Editor:

MR. WILLIAM KUNSTLER DOES NOT EXIST

Fear was the keynote of the address by Dean Schwartz to the student body on Thursday, March 25, 1971. What will the community think? What will the BAR do? Will graduates fail to find positions if Kunstler speaks at graduation? Imaginatively ominous answers to these profound questions were propounded as sufficient reasons for keeping Mr. Kunstler from being (let alone speaking) at graduation ceremonies.

"We have entered a dark night of repression," remarked Herman Schwartz at a symposium discussing political trials about a year ago. One year ago, this remark might have been hyperbole. But in March, 1971, the same observation in hypobole. *Kyrie eleison.*

President's Corner

By Bob Penny

Last April

The tenor of the student body has changed over the past two years to such an extent that a reaction to Cambodia could have been expected. However, the extent and sincerity of the reaction was not fully expected. It can only be hoped that those involved learned from the experience the need for directed dissent. In any event the SBA has learned that it must be a more flexible organization in order to provide the type of leadership expected of such a body.

Two immediate effects of the Cambodia operation with regard to the SBA was the postponement of committee appointments and late filing of student organization budgets. Naturally, these important items were forced to take a back seat and real consideration of them did not begin until fall semester. Unfortunately, I was not informed of the inordinate amount of time spent on budgets, as was the want of prior SBA's therefore, time was unnecessarily wasted.

Fall

With much work to be done the SBA met in the fall hoping for an atmosphere of "Business as usual". Such was not to be the case. We were immediately confronted with the problems generated by the lack of adequate funding for our minority students. It is difficult to estimate how much time Paul Cardon and I spent working with the administration, alumni and the local Bar. However, the result of our efforts, and especially those of Paul, was most gratifying. I must thank the alumni and other members of the Bar for their assistance in this matter. Lessons were learned the hard way, to the detriment of individual students, but I feel those lessons will provide the basis for competent administration of the minority student program in the future. Also, it is hoped that the SBA will not wait for an emergency before it communicates with the alumni and the local Bar on matters of concern to all.

Directors and Officers

I wish to thank Paul Cardon for his support throughout the year, and JoJo Seggio for her untiring efforts on behalf of the law student body

Mr. William Kunstler is the most unnicest kind of attorney there is. He possesses a sincere and well-reasoned belief that there is something fundamentally wrong with the American legal system. He has expressed this belief on numerous occasions, some of which were unsavory. The cumulative effect of all these occasions, and subsequent interpretations thereof by the mass-media, has been to make Mr. Kunstler more than Mr. Kunstler. He is, and I shudder to write this, a Symbol. And, alas, that Symbol evokes a harsh and painful image. It is the image of a physician telling you that you are dying of cancer.

Dean Schwartz voiced one possible reaction to that image last Thursday. He interjected an element of Sartrean non-being. The cancer does not exist because the physician does not exist. Dean Schwartz, and those among the faculty who support him, willed it so. The justification for Mr. Kunstler's views was not at issue. The possibility of fundamental reform of the legal system was not as issue. The issue was "How can we have the nicest possible graduation ceremony for all those nice kids who attend the University of Buffalo School of Law?"

Unfortunately, while I feel at ease with unoffensive niceness I esteem other values more. With this low-key value judgement I close; for I feel the royal henchman tugging at my pen, and nodding toward the scaffold.

Alan Minsker

before main campus organizations. On the other hand I can only say that certain directors and officers were conspicuous by their absence. Either responsibility for their elective position be accepted, or resignations should be tendered and accepted. It should not be a hassle trying to get and keep a quorum.

For the Future

In my last article I recommended the establishment of Budget, Legislative - constitution, Election, Social, Student-Faculty Relations, and Grievance Committees. To these I would add committees on Rules and Alumni Relations. Matters would go to the

Men and women lawyers and law students are urged to come to Washington on April 17/18 to participate in a conference sponsored by the Georgetown University Law requests from the various organizations and clubs by the end of April. Also, the Student-Faculty Relations Committee, on recommendation of the President, should begin considering appointments to the various faculty committees.

Any reorganization is incomplete if the organization does not set forth goals and guidelines for itself. I would suggest that the SBA have as its first goal the improvement of student-faculty relations. To this end the SBA must provide a channel of communication whereby interaction becomes directed rather than existing on an ad hoc basis. Further, the SBA must be a source of direction for student involvement in issues confronting the law school.

However, if the SBA is to be successful, all members, meaning the entire law student body, will have to do more than stumble in and out of school. Let me remind you, fellow students, that SBA meetings are open - take one hour each week - express your opinions. Directors, of necessity, express their own opinions or those of the loudest (202) NA-8-7061 ext. 264

Results of the Year

The Secretary, Jeff Frank, will be summing up committee progress in future issues of the *Opinion*.

Graduation And Student Power

By Richard J. Rosche

The proverbial mole hill has been expanded into an insurmountable mountain. Senior Graduation, once a second thought on the minds of all of us, has become the center of the School's latest raging controversy because of an invitation which was extended to Chicago 8 attorney William Kunstler to speak at graduation.

The problem started when this writer was asked to try and secure a speaker for graduation by the chairwoman of the graduation committee. We believed that because time was short we would not be able to present any choice to the class but would be lucky to secure some well known person. Mr. Kunstler seemed a good choice since he was a well known activist attorney.

Proceeding on the belief that time was of the essence three individuals, personal friends of Mr. Kunstler, were asked to contact him about the talk. Unfortunately, the first person to make contact and thus to receive more than his share of blame was Prof. Schwartz. I say unfortunate because the call could have been made by any of the others without involving the professor in much unjustified criticism - he could not have stopped the Senior

Class from contacting Mr. Kunstler if he wanted to. In any event, Mr. Kunstler accepted, barring a schedule conflict.

The mole hill grew into a mountain, pitting the Senior Class against the faculty and new Dean. One is hard put, at the time of this writing, to determine the outcome. If the Senior Class persists and unless Mr. Kunstler becomes unavailable for this speaking engagement it appears that Formal Graduation, with faculty and Dean participating, will not be held. The Senior Class, in such a case, will be forced to hold its own informal Graduation. If reconciliation or circumstances allow, the affair may pass and Formal Graduation may be held. Whatever the result, the future will not dull the impact on the student body of this new faculty adventure.

An analysis of this new confrontation reveals the similarities with past faculty student collisions, such as those of last May and in the committee structure. During the events of last May the faculty, as a body proved itself incapable of acting in the interests of those concerned students who fought against the War. Little support was forthcoming from this body save for individual efforts.

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For President

PAUL M. CARDON

There is a definite need for a committee to study and correlate policy provisions of the faculty and SBA Constitutions. Hopefully this will effect joint faculty-student decision making and give substance to the efforts of the various faculty-student committees.

All faculty-student committees should be composed of an equal number of faculty and student members and serious consideration should be given to equal voting rights on those issues before the committee rather than the present consensus method.

I support the Freshman class in their effort to have take-home examinations optional, but with Brian York's amendment.

I support the establishment of a Faculty-Course Evaluation along the lines of the procedure designed by Professor Homburger and the FSRB committee. However, such a program should be funded by the University Administration.

There have been many fiscal policies burdening the Law School due to the failure of "powers that be" to recognize this school as Graduate level for purposes of fellowships and assistantships. My efforts will be to get the SBA, (which includes the entire student-body), behind our Administration and get more commitments for financial assistance for our students.

There are, needless to say, many more important issues and programs which will and should be considered. The important thing is that this student-body get together in these efforts. One way to show your support to those SBA Officers and Directors who will be elected for next year, will be a good turnout at the election tables. PLEASE VOTE YOUR CHOICE for the 1971-72 SBA.

SBA

MALCOLM MORRIS

There is neither the time nor the space at this point to state all the things that I would like to see come about at this school. Nor, is there enough time in the upcoming year for one person, even as President, to accomplish these things. But there is a chance now for the student body with the correct leadership to take the initial steps.

My main concerns are to establish a more practical outlook for the S.B.A. That is, to make the student body one that serves the students, not one that is merely a servant of the faculty and the main campus administration. I would like to see a concerted effort made by the S.B.A. to take over full operations of the bookstore. Furthermore, students funds should be sent for strict student activities and not spent to augment programs whose burdens should be borne by the faculty e.g. Freshmen orientation.

There is a need for this school to assert itself not merely as the mecca of Western N.Y. but as one of the ranking law schools of the country. There is no reason why this school is unknown in cities such as New York and Boston. It is time the S.B.A. takes steps to ameliorate this situation. I feel my experience as Student Representative and Treasurer has given me knowledge of the SBA's mechanisms that will enable me to carry through with these and other needed programs.

BOB WALL

The Student Bar Association is languishing from lack of direction. Its weekly meetings border on farce, as any representative will woefully admit.

Consider the fact that the first semester was almost history before the S.B.A. was able to finalize its budget allocations.

Recall the petitions presented and signed by concerned members of the student body; for freshman curriculum reform; for extension of Library hours, for a reading week before final exams; for reconsideration of the Tuition Increases and for optional exam procedures. Then, look for an indication of the S.B.A. response to these petitions. Look at the minutes of past meetings, if you can find them.

The S.B.A. is the organization empowered to speak to the faculty and administration on behalf of the student body. Among its objectives is "to promote and protect the rights and interests of the students in matters involving those rights and interests." Our paramount interest as students must be the nature and quality of the education we obtain in the Law School. Our right is to have a voice in the decisions which ultimately determine the nature and quality of our education. We have a right to be heard in matters regarding faculty appointment and tenure, curriculum, examination procedure and scheduling.

It is to these and other important interests of the student body that I will direct my strongest efforts should I be elected.

For 1st Vice President

MARK FARRELL

Position papers usually consist of contrived statements designed to appeal to various student interest groups. The problems facing the SBA association run far deeper than rivalry between certain individuals. Right now in view of the actions taken by the to whether the SBA has a meaningful role in this school. Leadership is essential and therefore instead of a position I put simply and honestly my qualifications for leadership.

As a undergraduate I was a Cadet commander of the ROTC at UB and State President of my fraternity. At the law school I am presently social chairman for the SBA and secretary for the local PAD chapter. I would appreciate your vote this Thursday.

JUDITH KAMPF

I have served the past year as an SBA director and, as such, have gotten a feeling of how SBA operates and where the major breakdowns occur.

First, there is a breakdown of communication with the faculty, and only sporadic input by students in policy decision. To remedy this condition a faculty-student committee was established on my motion to investigate the functioning of faculty-student committees, to see what sort of contribution the students make, how it can be improved, and how the SBA can receive and take positions on important issues before committee decisions are made. This committee has to be pushed to meeting and making a report.

The SBA needs to be reorganized. Work needs to be done to increase paying assistantships for law students, for instance in the freshman library research training program and in any legal studies courses taught on campus. I am presently working on this through the ad hoc committee on tuition.

For 2nd Vice President

MIKE BERGER

This is my sixth year as a student at UB. In the past six years I have been involved in various functions of the school and have been able to watch its various mechanisms at work. Currently I am still a member of the Graduate school and serve on various committees in that school.

As such I feel that I have a good idea of the present relation of the Law School to the Main campus and how this relationship could be built upon.

For too long a period the Law School has been too far from the other schools on the main campus. If elected, I would work toward building stronger ties and involvement between our school and the many other schools that make up UB.

We have a lot of resources to give to the main campus and the main campus has much that we can share. My goal will be to attempt to bring the two campuses closer together.

JOHN SAMUELSON

I am running for 2nd Vice-President of the S.B.A. because I believe that our student government can be made to be much more responsive and useful to the student body. At present there are a great number of issues which concern many different groups of students. Unfortunately, because of the cumbersome and unresponsive state of the Board of Directors, none of these are being solved. I would like to work toward making the Board face its responsibilities to the student body by streamlining its procedures and helping to coordinate its reorganization which has already begun.

The office of 2nd Vice-President also has a responsibility to represent the Law School on all University wide committees. In this area we have been lax in the past. It is necessary not only that we assert ourselves on these committees (particularly Sub Board 1) but that more students are able to participate in making the decisions which are shaping the future of the Law School and the University. I will work toward these ends.

For Treasurer

JOHN ANDERSON

As a student interested in participating in the SBA, I feel that my experience and educational background qualify me as a candidate for the position of treasurer.

My qualification and experience include: graduate of SUNYAB Graduate School of Buffalo with a MBA degree, student employee of Office of Student Accounts for the past three years; treasurer of I.F.C. for three years as an undergraduate and treasurer for the parish C.Y.O.

This background has trained me to maintain a clear and concise record of all expenditure and receipts which will be available to all students on request. Also, my employment in the Office of Student Accounts places me in a unique position to answer any question of Main Campus funding which concerns the Law School.

Generally, I believe that student funds should be allocated for student purposes by students not subject to Administrative review.

DICK WEINBERG

There are many reasons why I should be elected treasurer of the Student government. But perhaps the most important one is that I can do the job. I know what the job entails and I am confident that I can do a more than adequate job.

I have been a director of the SBA representing the Junior class for a good part of the year. I have not missed an SBA meeting since being elected, and attended many meetings prior to my election. As a director I am a member of the election committee, and substitute SBA representative to the Faculty-Student meetings. As a representative I have taken a stand on every major issue before the body, no matter its popularity or lack thereof.

My undergraduate major was Accountancy at Pace College in New York. I likewise have taken a considerable number of hours in internal auditing. After a tour of duty in the Army I became a bank auditor for Chase Manhattan Bank. I cut short my stay at the bank to attend Law School. This school means more to me than a place to go between 9-5 weekdays. This school is made up of people which I have a kind of liking towards. And really what is a school - a gathering together of people with common interests. If elected I will perform the job with dedication and fondness for our school.

LEE GINSBERG

The pressures of administration, faculty and "outside forces" are continually being felt by the student body at this law school. And, to date, the SBA has not responded in a manner that allows the students to exert the rightful power that they possess. Ideally, the SBA working with the faculty and administration could solve some of the critical situations that are present in this school. The problems concerning the minority student program, financial aid, curriculum and teaching methods can be dealt with by all the factions of the school. However, in dealing with all these situations the students must act independently from their own strength. After all, we are the ones' most critically effected by the decisions made about this school.

If the SBA has been a quasi-joke to many students, and others, it is our own fault. If we don't organize a strong base for our needs, in this school, then we will continue to fall short with our demands for change. Although somewhat skeptical, I still feel that by re-organizing the SBA we can begin to work on the crucial problems of the law school.

Further, I believe that I am qualified to serve as treasurer of the SBA. As an SBA representative I have been able to view the workings of the office and now feel that I fully understand the functions and responsibilities of the job. I seek you and in turn I will support you, the students, as an elected officer.

ALAN F. LIEBOWITZ

(no paper submitted)

LEGAL EDUCATION OF MINORITIES

PART TWO

By William C. Lobbins

II. MECHANICS

A. Admissions

Interviewer: In assessing the relatively small Negro enrollment in the nation's law schools, what weight would you give to the factors of insufficient finances, poor previous academic preparation, low Law School Admission Test (LSAT) scores, poor vocational opportunities in the legal profession and insufficient motivation?

Professor Donegan: Insufficient funding is the chief factor. Black applicants are further discouraged by poor vocational opportunities in the legal profession. Low Law School Admissions Test scores (LSAT) also tend to limit black enrollment. I feel that LSAT scores validly determine the potential of white applicants but they are invalid for most black applicants because the test is geared for middle class people. Since blacks have not participated in the social and economic mainstream of American life, the LSAT does not fairly test their abilities. I know many fine black lawyers who have gotten low scores but have done well in law school and subsequent legal practice.

Professor Quick: In large part it is history, a history of lack of opportunity in the legal profession. It is due also to lack of knowledge about new opportunities, financial and otherwise.

When discussing and condemning the use of low LSAT scores as an admission criterion, we are beating a dead horse. When admission standards at law schools were investigated five years ago it became abundantly clear that few law schools applied the same LSAT standards to Black students that they applied to others.

LSAT was never meant to be an absolute standard and it has not been. Other predictive factors have been used. Of course, if an applicant scores much "too low" on the test, it seems to indicate that he is just not prepared to benefit from a law school education. Certainly we can't expect the law school to provide both a major undergraduate education as well as an effective law school education.

Mrs. Washington: If young Negro students believed that law offered a challenging, profitable and respectable career, they would gravitate to the field of law. But if the black students believe that they will be restricted to ghetto practice or, even if they were hired by big business, be relegated to the performance of menial tasks, then I am sure they wouldn't choose law as their career. I do feel law like any other career must offer the individual a chance not only to use all of his talents but to develop them thereby.

Admissions Standards

Interviewer: What admission standards would you apply to black applicants?

Professor Donegan: I do not feel that traditional admission standards are adequate to determine the potential of black students. Admission standards as applied to minority law school applicants should be de-emphasized to the barest feasible minimum. I would take black college graduates who are

strongly motivated to study law. Tutorial assistance must be provided for many of these students.

Professor Quick: Let's admit at the beginning that all white college graduates that wish to study law do not have the necessary minimum skills, aptitude, or, motivation. Blacks are no different. The mere fact that one has graduated from an accredited college and is black is no indication he has these minimum attributes. Proper evaluation of the Black student is difficult, and the LSAT score is helpful but experience has shown personal interviews, records of leadership and recommendations must be relied on to provide a basis for screening out those for whom the rigors of legal education may provide a traumatic experience of frustration and bitterness.

The law schools have a duty to the Black student to assure themselves that he has a reasonable possibility of success. To be sure, the school may sometimes err but it must at least try to make the determination, in the interest of both the individual, the profession and the other law students.

Of course, all possible tutorial and other aids should be available to all students who may have difficulties.

Attracting Blacks to the Study of Law

Interviewer: What do you think should be done to attract more Blacks to the study of law?

Professor Donegan: The first thing that should be done is to offer more financial assistance to minority students. There should also be a significant recruitment drive by the law schools throughout the country. From my own experience, high school guidance in the field of legal educational opportunities was very poor. I would expect, even today, that high school guidance in this area leaves a lot to be desired. This might be attributed to latent prejudices of guidance counselors or lack of information. I think that increased job opportunities would do much to increase the number of Blacks who attend law school. As job opportunities for Negro law graduates improve, I think the black lawyers' image will also improve.

Professor Quick: I fully agree with Professor Donegan.

Reverse Discrimination

Interviewer: Is there reverse discrimination when a white youth applies for and is subsequently denied admission to law school because a minority student with the same or "inferior" credentials based on the school's acceptance criteria is admitted? Is the issue of reverse discrimination at the matriculating, passing or graduating level a question of constitutionality?

Professor Donegan: The charge of reverse discrimination is a common one. And, I am sure that this charge will not be laid to rest for a long time to come. Accepting minority students with the same or inferior traditional credentials and denying admissions of equal or superior "credentials" of white students is not necessarily reverse discrimination. It depends on how

we judge qualifications and credentials. If we address ourselves solely to performance on a culturally biased test or college grades, then different standards for black admission would constitute reverse discrimination. But, if we question the basic assumption upon which such standardized evaluation is made and believe that any admissions criteria must take into account past discrimination against black students, there is no question of reverse discrimination. In view of the great need for black lawyers in this society and the small number now available, I maintain that blacks should be accepted to a much greater degree in law school. This does not mean discrimination against whites. Any white student who wants a legal education can find some law school which will admit him. Generally, whites, because of their socio-economic background, have greater knowledge of where the law schools are, how to get into them, and have access to greater economic resources.

Professor Quick: At the University of Illinois, College of Law, as at many universities, we have many special programs. One of these is for the physically handicapped; we provide ramps and special aids for these and have established differing matriculation standards. We reserve a certain number of admission places for veterans. These are distributed outside the normal channels and on a differing basis. I have yet to hear any major complaints about this "favoritism." If this "discrimination" is appropriate, it would seem obvious that we can give some priority to the culturally and economically disadvantaged without incurring the enmity of their detractors and exploiters.

Mrs. Washington: If I were to answer this question subjectively, as a person graduating in a generation where a black lawyer went begging and where a black woman lawyer was considered a complete freak, I would maintain that this isn't reverse discrimination. Objectively, however, if a white student with the same or better academic standing than a black student were refused admission, this would be reverse discrimination. And, as such, this might be challenged as a denial of the white student's constitutional rights.

Judge Trammell: I don't think it is a question of constitutionality but it does depend upon a person's point of view. If you believe that this country offers the black student the same opportunity as his white counterpart in preparing himself for law school, in obtaining needed financial assistance and in securing top career positions after graduation this then would be reverse discrimination. On the other hand, if you believe that black people as a whole have been injured and psychologically scarred through no fault of their own, then it is not reverse discrimination.

B. Double Standards

Interviewer: Some law schools allow minority students to remain in schools regardless of the grades they achieve. Do you agree with this practice? Would you utilize, alter or abolish it?

Professor Donegan: I believe in high standards of excellence for

all students and lawyers. I do not favor any procedures or programs which will turn out incompetent lawyers. As far as the practice of some law schools in allowing minority students to remain in school regardless of the grades they achieve, I contend law schools should give minority students a longer time to meet the requirements of graduation (if this is necessary). I do not believe that there is anything unfair or unjust in such a practice. This is because there are educational inequities for blacks in the school system. But by law school graduation, both white and black students should meet the same standards regardless of the time period.

Professor Quick: I do not believe the profession can afford a double standard of competence or performance. No self respecting Black would want a "Black" LL.B. or J.D. To graduate a less competent Black lawyer would be to perpetrate a fraud on the profession and his clients. Black people don't need or desire less able lawyers to lead them in the fight for social justice.

Black law students want an opportunity. I do not believe they desire a special program designed on the insulting assumption that they are unable to perform in accordance with reasonably objective standards.

It goes without saying that I do not agree with Professor Donegan that Blacks should be treated as emotional or mental cripples requiring a longer period of time to acquire the minimum basic legal concepts. No courts are going to set up special time schedules for Black attorneys so as to allow them extra time to adequately handle a case. One of the necessary basic skills of a lawyer is to be able to handle affairs in a reasonable period of time. The slow thinker has little business in the profession.

C. Remedial Assistance

Interviewer: Do you think that remedial materials designed to eliminate skill deficiencies will insure success for disadvantaged minority students? Do you feel that intellectual disadvantage is the pivotal problem?

Professor Donegan: The use of remedial materials and tutorial programs will help eliminate skill deficiencies for many minority students. These programs, of course, will not insure success for all minority students. But, they will be helpful in making it possible for many to succeed. I feel that the pivotal problem is educational deprivation; this has nothing to do with any innate or intellectual inadequacies on the part of minority students. Psychological factors are also very important. They hamper successful performances of minority law students in the educational system. The minority status in the country has provided many opportunities for failure and little opportunity to succeed. This expectation of failure is present with many, if not a majority of, students. This does have an adverse effect upon their performance. An additional psychological problem that minority students face especially when they are attending predominantly white schools is an absence of the comradeship they enjoy at home.

Professor Quick: Remedial programs may help all students,



William C. Lobbins is a second-year student at the State University of New York at Buffalo School of Law. He is a member of the Buffalo Chapter of the Black American Law Student Association (BALSAs) and served as the organization's President during the 1969-70 school year. including Blacks, having learning difficulties.

Intellectual disadvantage has never been apparent to me. I have taught both White and Black students who were inferior in capacity. I have taught students of both races who were "superior".

Psychological problems do affect behavior and achievement. I can't help feeling, however, that in the context of this discussion they are over-rated. Let us not forget that we are not talking about the ghetto child that has dropped out of grammar or high school. We are talking about one who has overcome! We are discussing a student who has graduated from high school; succeeded against great odds in obtaining a college education and is among the elite of his social and cultural group. He has already demonstrated a toughness of mind and purpose that should stand him in good stead in law school. Most of the weaklings have already been weeded out. That does not mean that law school should be made an unnecessarily disturbing emotional experience. It does mean that the Black law student is more likely to be able to handle otherwise debilitating emotional experiences than others who have not had his difficulties and overcome them.

Interviewer: Would you anticipate a reluctance on the part of some minority students to participate in such programs because such assistance might be considered degrading or a sign of intellectual inferiority?

Professor Quick: Yes.

Professor Donegan: A number of minority students would believe that participation in such a program to be a degrading sign of intellectual inferiority. However, I believe a majority of black law students would be quite happy to participate in any program which might give them a greater chance to succeed in law school and carry them closer to their goal of becoming a lawyer.

III. IMPLEMENTATION

Interviewer: It has been suggested that more predominantly black law schools be created at already existing black colleges and universities to satisfy the need for more black attorneys. Another view is that existing Negro law schools should be assisted to do the best teaching job possible for their existing lives and should be further assisted either to phase

themselves out or to be genuinely incorporated into an unsegregated educational program in their states. What is your view?

Professor Donegan: I maintain that existing Negro law schools should be assisted to do a good teaching job. More money should be provided for those schools which are already in existence so that they can have more faculty, obtain more books and admit more students. I do not favor creating additional new black law schools. There will be a need, however, for the already existing black law schools for a long time to come; existing predominantly white law schools will not be able to meet the great need for black attorneys. Society, consequently, should do whatever is possible to enable these black schools to turn out more black attorneys.

Professor Quick: I do not believe in segregated education. While Black segregated colleges have performed a great service, I agree with the NAACP that all Black or all White colleges should be abolished. The Black law student is not going to practice "Black law." He is going to practice "law." He needs the contact, the experience of working in a world of black and white, the real world. The language of the Supreme Court in *Sweat v. Painter* detailing the value of an integrated legal education is an appropriate answer to their question.

It goes without saying that the white law student also needs the

Black law student if they are to cooperate after graduation as social engineers in building a just society. We should not do anything to hinder or impede such cooperation.

Mrs. Washington: Why create new black law schools to educate black attorneys to practice law in a white world? I would agree that the existing black schools should be updated and upgraded.

IV. CONCLUSION

Interviewer: "A Negro freshman law student was admonished by a Negro upperclassman not to extend himself studying because he could do nothing except hang out a shingle, and for this purpose a 'C' was as good as an 'A.'" Will the minority student graduating from law school have an equal opportunity to expand his professional horizons?

Professor Donegan: With respect to the admonition, I maintain that black students as well as white students should extend themselves as much as they can and get as much as possible out of the legal educational process. The objective of law studies should not be to get a C or A grade. The student should try to understand the subject material as well as possible. However, I feel that by no stretch of the imagination does the minority student have an equal opportunity with his white counterpart upon graduating from law school. But, things are getting

better. **Professor Quick:** The Black law graduate at the present time has a wealth of new opportunities. With the present rush to have at least a "token" Black lawyer in the office, the Illinois Black law graduate has in some respects a better opportunity than his white counterpart.

Mrs. Washington: He will not have an equal opportunity as his white counterpart unless big business, government and private enterprise open their doors and employ him. I feel that the black lawyer in many instances should be interested in those things which concern his people. However, a black lawyer should also be equipped to enter a law firm which handles corporate matters, banking, business reorganization and domestic relations. In other words, he must have a broad vista from which to choose. And, unless local, state and federal government and private enterprise offer more opportunities to the black lawyer, he will not have an equal opportunity to expand his professional horizons as his white counterpart.

DISCRIMINATION IN STATE BAR EXAMINATION

Interviewer: Do you feel that the various state bar examinations are in any way discriminatory? What can be done to insure that minority graduates will have an equal opportunity to perform well

on the bar examinations? **Professor Donegan:** Bar examinations like law school examinations are best geared for those who write well, handle themselves well grammatically and have a good writing style. I do maintain that many black students do not have as great a facility of writing style as their white counterpart. This would constitute a disadvantage. Outright discrimination does exist as some contend in the southern states, but I question whether there is very much outright discrimination on the bar exams in the North.

Professor Quick: I have no evidence that there is, at present, any discrimination in the administering of bar exams.

As far as writing style goes, I like to remind my students that I taught for a couple of years in Africa and the literary quality of the papers of my "native" law students, none of whom had studied English prior to the sixth grade, was exceedingly high. Their examination papers although at times betraying some lack of analytical ability were, in the main, much better literary products than the products of many of my students at Wayne, Illinois, Pennsylvania or New York University.

Mrs. Washington: I don't feel that the bar examinations are discriminatory but I do feel that they are inadequate. Bar examinations are in need of

reform much as our court systems, judicial systems and laws. With reform of the bar examinations, there must be reform of law school curricula because the law schools are supposed to prepare students to pass the bar examination. As everyone knows, most law students take cram courses to pass the bar examination. The bar examinations that we have today test for a person who can take an exam. They do not test to reveal what persons will be good lawyers. I don't however, feel that the bar examinations specifically discriminate against the minority student. The minority student must take the same cram courses as the white student if he wishes to pass the bar examination.

Judge Trammell: Well, as far as discrimination on the bar examinations, I think the very nature of examinations are to discriminate. Whether or not they discriminate against the black student I cannot honestly say. I think this (i.e., that the bar examinations are discriminatory against Blacks) is one thing we should take on faith until we find evidence to the contrary. And, I don't know if anyone has presented statistics to show that a high percentage of blacks, who have graduated from accredited law schools have failed the bar examination to a greater degree than any other group.

STUDENT POWER

(cont'd from Pg. 2)

The faculty-student Committees reveal similar problems. Although the students have gained seats on most committees the actual power these students have is limited to what the faculty on the committees and as a body is willing to give. The decisions reached by the faculty still represent faculty and not student voting power. Thus the faculty has veto power over all decisions reached by these committees, students are guaranteed nothing more than a limited advisory role in most important decisions.

The Graduation problem like the committees represents the limited nature of student power. The Senior Class could not even pick its own graduation speaker without its judgment and right to do so being challenged by the faculty and Dean.

This analysis places the Senior action, in refusing to give up their right to choose a speaker, in proper perspective. It is in one sense part of the movement to assert more student voice in the governance of the school. The Senior class wouldn't let the faculty assert itself over what seemed to be a legitimately Senior activity.

If this is so, than the Senior resistance could offer the student body a new self confidence to assert its interests. This self confidence should not be aimed at creating impasse after impasse with the faculty, but merely with developing confidence from a power base of student unity. Next year when, it is rumored, a new set of By-Laws will be proposed for the faculty with specific provisions for student input, the student body must be in a position to negotiate for substantial gains. Only a unified student body realizing its powers and weaknesses can effectively negotiate for any desired gains. The senior resistance which combined all political views behind one cause can provide the example for a united student effort in the future.



Placement Program Boosted

A program to enlarge and improve student opportunity for summer employment is being set up and will be in operation for the benefit of both law students and lawyers this summer.

Prime mover in this program is Prof. Thomas G. Rickert of the Faculty of Law and Jurisprudence, State University of Buffalo. Associated with him is a committee consisting of Bar Association President Irving Fudeman, Thomas Hurley of the University Placement Office, Law School student representatives and members of the Bar.

"It is our aim and hope to give a boost to law students both by giving them a chance to earn some money and also to give them the practical experience that will be so valuable to them in becoming lawyers," said Mr. Fudeman.

Aid to Students, Lawyers

"We want to help the young lawyers of tomorrow to get experience that will be so necessary and valuable to their careers. In this cause the Bar Association has gone on record as giving this program its full support.

"It is our hope and desire that our members will use the services of available students, both to assist in doing the chores of a law office, but also to assist in the education of these young men.

"It also offers opportunity to assess the talents of the young men and women who might be needed to fill staff positions in the future."

Enrollment of law students seeking employment this summer, as well as listings of openings or opportunities for these young people, will be handled through the University Placement Office.

Applicants should contact Thomas Hurley in the Office of Campus Placement, Hayes Annex C, Room 6, phone 831-4414. Additionally, Mr. Hurley will be available every Wednesday afternoon in the Law School, Room 216-B at 77 West Eagle St. The phone there is 852-4372, Ext. 33.

The problem of student employment has been under consideration of the Law Faculty for some time, according to Mr. Rickert, mainly with the view of improving the quality of assistance offered students. In a letter to committee members, Mr. Rickert explained:

"In the past, local law offices which were interested in obtaining student help during the summer time would call the Law School and a notice would be posted on the bulletin board and students, if interested, would directly contact the employer.

There has been some feeling on the part of the students, acting through their Student Bar Association, that a more formalized program would be of assistance to the students in obtaining summer positions.

"As evidenced by the recent clinical programs which have been developed at the Law School (in which students, during the school year, work part time with various governmental agencies) there has been a recognition on the part of the faculty and administration that direct and meaningful on-the-job experience can be of significant educational value to a student and can, in many instances, serve to make more vivid and comprehensible much of the conceptual and theoretical material with which students work in the classroom.

"Beginning last semester the Law School has had the services, one day a week, of Mr. Thomas Hurley, who is from the on-campus Placement Office of the University

Bar Supports Program

"The Law School Liaison Committee of the Erie County Bar Association has indicated its willingness to co-operate fully in connection with the development and expansion of this Summer Clerkship Program, and it has indicated that it offers a good opportunity for students and practicing attorneys to become acquainted and to exchange information which will be of value to all concerned.

"The procedures to be followed are these:
"1. Interested students will register with Mr. Hurley. Mr. Hurley will recommend that the student prepare a resume so that a placement file for the student can be opened by Mr. Hurley who suggests that letters of recommendation and any other supporting materials also be placed in the individual placement file so that they will be available in connection with permanent placement efforts. However, there is no absolute requirement for the filing of a resume and there is no prescribed application form as such.

Interviews To Be Arranged

"2. Interested employers will be requested to contact Mr. Hurley who will attempt to find out from the employer what type of law practice the employer conducts and what salary range the employer is considering offering.

"3. Mr. Hurley will then match the employer requests and the student requests and schedule interviews at the employer's office. Mr. Hurley will also periodically follow up and review employment openings to determine which have been filled and are no longer available and which are still open.

"It will be made clear to both students and employers that the compensation will be at a modest although hopefully adequate rate.

"Students will expect to do general clerking work which may include some mundane and petty responsibilities such as delivering packages, filing papers, and generally doing any particular item of work which will be of assistance to a practicing attorney.

"Employers will be encouraged, however, within the possible limits of the situation to assign tasks to clerks which will be helpful in their education and which will give them additional practical experience.

"Employers who participate in the program should be aware of the fact that they are making a contribution to local legal education by affording students an opportunity to observe the law as it is in action and by giving students a base of actual experience upon which they can do better work during their formal training.

"Employers should also realize, however, that they will be benefitting by obtaining the services (at modest rates) of intelligent and able law students."

Mr. Hurley indicated that he has contacted over 2,469 alumni about the placement service at the Law School along with several law firms in Buffalo and elsewhere in the state. Government agencies contacted have included the District Attorney's Office, Corporation Council of the City of Buffalo, the County Attorney's Office, New York State Attorney General's Office, Legal Aid, and certain other agencies who employ lawyers. The placement service is also available for anyone looking for permanent employment after graduation.

Advocates

Working For Student's Rights

A high school student in Buffalo was recently thrown out of school. He was "dropped from the rolls," according to school authorities, even though State law requires a hearing before a student is suspended for more than five days.

This is not unusual. School boards and school officials frequently violate sections of the State Education Law dealing with suspensions, says Norman S. Rosenberg, a senior at UB Law School.

In a sympathetic effort to assure that suspended students are accorded their rights and placed in the best educational setting, Mr. Rosenberg has been instrumental in establishing The Advocates, a group of professors, students and community workers.

His interest in suspensions grew out of a course on education law. "I visited various Buffalo and suburban schools," recalls Rosenberg, a former teacher in New York City. "Talking with superintendents and their representatives, it became clear that there were some abuses of the law. Practices from district to district varied greatly."

Basically, the law says there are two kinds of suspensions—Short term and long term. The school principal may order a short term suspension—not to exceed five days. On request, the pupil and his parent or guardian must be granted an informal conference

with the principal, at which time the parent can ask questions of complaining witnesses.

LONG TERM SUSPENSIONS

Long term suspensions—more than five days—can take place only after the student has had a hearing, at which an attorney can represent the pupil and his parents and ask questions of complaining witnesses. The hearing is supposed to be carried out by the superintendent of schools, the law states. In large cities like Buffalo, however, the superintendent simply does not have time to conduct such reviews; and "hearing officers" are appointed.

The superintendent's (or hearing officer's) decision may be appealed to the Board of Education—and to the State Commissioner of Education, if the board does not change the decision. Remedy may also be sought in the state or federal courts.

If a student is suspended for "insubordinate" or "disorderly" (the terms are not defined in the law), school officials must also take immediate steps to provide for his education at home or elsewhere.

LOTS OF COMPLAINTS

Once Rosenberg's interest in the problem was stirred, Wade Newhouse professor of law and

(continued next page)

C.O. Claims Allowed

by Paul F. Stavis

A local Buffalo law firm, Martoche & Collesano, has won a major battle in the war against what is (was) one of the most notorious violations of due process by local selective service boards. *Grassia v. Commanding Officer* (Dkt. no. 34707, 2d Cir. Sept. 29, 1970) involved the question of "what can constitute a basis in fact sufficient for a local draft board to deny a post-induction claim for conscientious objector status." Under Selective Service regulations (1625.2) a reopening or reconsideration of a registrant's classification, upon a prima facie showing of grounds for that classification, is required by law in pre-induction order circumstances. However, there is a divergence in the various Circuit Courts of Appeal as to whether there is a similar requirement in post-induction cases. Additionally there is the collateral question of what must the board do by way of telling the registrant the reason for refusing to consider his prima facie claim for conscientious objection. Again, the circuits have divided. The First (in dicta only), Second (*Grassia*), Third Seventh, and Tenth circuits, as of this date, have held that the local board must consider a prima facie case for reopening and if, after the reopening, the board denies the request for the C.O. status they must clearly state the reason for the denial on the record. The Fourth, Fifth, Sixth and Ninth Circuits have taken the contrary position, that any change of beliefs resulting from the induction order and manifest after it is not sufficient to require reopening and therefore the board need not articulate a reason for the denial.

Because of the marked divergence and contrariety of decisions among the circuits, the Supreme Court has agreed to decide the question. [*Ehlert v. U.S.* argument heard Jan. 13, 1971, see also, 2 SSLR 60 and 3 SSLR 47] thereby ending the war.

The *Grassia* case was litigated by Mr. Stanley Collesano, Esq., assisted by his legal clerk Mr. Paul Stavis, Junior at the U.B. Law School. They argued in their brief that both the failure to reopen and the failure to state a clear "basis in fact" for the denial of registrant's conscientious objector claim were violations of due process of law and the regulations of the selective service law as promulgated by Congress.

The decision in the *Grassia* case clearly placed the Second Circuit with the majority of other circuits in requiring the local boards to make a specific finding on the record as to why a post-induction c.o. claim was denied, once the registrant has presented a prima facie case for conscientious objection.

With the *Grassia* decision, local boards in the second circuit will no longer be able to glibly dismiss serious claims for conscientious objection make anytime before actual induction.

It now remains with the Supreme Court to decide whether the recognition of due process rights to know why an agency of government has taken affecting personal liberties, will continue to be law in the second and become law in the remaining circuits.

Grading Report

A Funny Thing Happened...

The accompanying chart of the range of grades for the fall semester should be helpful to students in understanding and interpreting their own grades. It is complete save for the incompletes which have not been recorded.

A number of interesting things should be noted. The first is that, overall, the Freshmen received lower marks than upperclassmen. This is shown by the 1.03 rating for all Freshmen courses as compared to the 1.15 rating of the upperclassmen courses. (The rating system is explained at the bottom of the chart.)

Also to be noted is the disparity of ratings in two groups of the required courses, Property and Constitutional Law. In property, Section A received a 1.01 rating, slightly below average, while section B came out with a 1.22 rating, significantly above the average. In Constitutional Law, Section A received a 1.26 rating while Section B got only a 1.00 rating, a

considerable difference.

The problem of the HD also can be seen by observing that while most professors gave out none at all, a few gave out up to seven.

Two professors also seem to have misused the H grade (Corporations and Labor Law) by awarding it to 41% and 51% of their classes respectively.

As an overall total, however, the objectives of the grading system seem to have been met as the vast majority (71%) of the grades were Qs, only 21% of the grades were H's, and less than 1% of the grades were HD's.

The rating system for course grades was computed as follows: Each grade was assigned a point value, U's, 0 points, Q's, 1 point, H's, 2 points and HD's, 3 points. These were then added together and divided by the total number of persons taking the course, minus the number of persons who received incompletes.

Grading Ranges

First Semester 1970-1971

Course & Professor	HD (%)	H (%)	Q (%)	U (%)	I (%)	Tot. No. Graded.	Rating
Contracts A — Donegan	(0)	8 (8)	77 (79)	13 (13)		98	0.95
Contracts B — Rickert	(0)	13 (14)	74 (76)	10 (10)		97	1.03
Criminal Law A — Katz	(0)	6 (7)	74 (77)	15 (16)		95	0.91
Criminal Law B — Angus	2 (2)	16 (17)	68 (70)	11 (11)		97	1.09
Property A — Goldstein	(0)	11 (12)	72 (77)	10 (11)		93	1.01
Property B — Reis	5 (5)	16 (18)	64 (70)	6 (7)	2	93	1.22
Torts A — Laufer	(0)	9 (9)	80 (81)	10 (10)		99	0.99
Torts B — Davidson	(0)	14 (14)	74 (76)	10 (10)		98	1.04
TOTAL	7 (1)	93 (12)	585 (76)	85 (11)	2	770	1.03
Junior (Required Courses)							
Const. Law A — Mann	4 (4)	25 (26)	56 (58)	12 (12)		97	1.26
Const. Law B — Newhouse	(0)	13 (14)	70 (72)	13 (14)		96	1.00
Taxation A — Del Cotto	(0)	11 (8)	100 (80)	15 (12)		126	0.92
Electives							
Adminis. Law — Gifford	(0)	5 (13)	31 (87)		(0)	36	1.14
Civil Procedure — Homburger	(0)	6 (14)	33 (79)	3 (7)		42	1.01
Collective Bargaining in Government — Hyman	(0)	16 (29)	37 (69)	1 (2)		54	1.28
Comparative Environmental Planning & Development — Mukerjee	1 (25)	1 (25)	2 (50)		(0) 4	8	1.75
Conflict of Laws — Franklin	7 (9)	13 (16)	63 (75)		(0) 3	86	1.33
Contemporary International Law — Buergethal	3 (5)	11 (21)	39 (70)	2 (4)		55	1.27
Corporations — Larson	(0)	15 (15)	78 (78)	7 (7)		100	1.08
Corporate Tax — Del Cotto	(0)	14 (41)	16 (47)	4 (12)		34	1.73
Evidence — Teitelbaum	1 (1)	21 (15)	115 (79)	7 (5)		144	1.11
Family Law — Swartz	(0)	8 (9)	68 (82)	8 (9)		84	1.00
Future Interests — Muzel	(0)	17 (22)	52 (69)	7 (9)		76	1.13
Government Litigation Clinic — Manak	(0)	4 (40)	6 (60)		(0)	10	1.40
Labor Law — Kochery	(0)	41 (51)	40 (49)		(0) 1	82	1.48
Legal Aid Clinic — Manak	(0)	9 (24)	26 (76)		(0)	35	1.26
Legal Problems of the Metro. Community — Kaplan	(0)	5 (25)	14 (70)	1 (5)		20	1.20
Legal Resources for Solving Current Urban Problems — Sims & Hyman	(0)	7 (26)	19 (70)	1 (4)		27	1.22
Housing Finance — Greiner/Reis	(0)	8 (27)	19 (69)	1 (4)		28	1.25
Selected Problems in Development Planning — Kaplan & Greiner	(0)	1 (20)	4 (80)		(0) 3	8	1.50
Women & the Law — Davidson	1 (4)	4 (18)	15 (60)	4 (18)		24	1.09
Seminars							
Civil Rights — Mann	2 (29)	1 (14)	4 (57)		(0)	7	1.71
Comparative Law — Homburger and Laufer	(0)	3 (60)	2 (40)		(0) 2	7	1.60
Copyright, Patent & Trademark — Goldstein	(0)	4 (26)	9 (60)	2 (14)		15	1.13
Judicial Adminis. — Kochery	(0)	4 (26)	10 (67)	1 (7)		15	1.20
Justice & Reasng. — Hyman	(0)	3 (20)	12 (80)		(0)	15	1.20
Law & Economics — Gifford	(0)	8 (57)	6 (43)		(0) 5	19	1.16
Law & Psychiatry — Carnahan	1 (7)	3 (23)	9 (70)		(0) 2	15	1.20
Mens Rea — Brady	(0)	4 (25)	12 (75)		(0) 2	18	1.25
Problems in the Correction Process — Schwartz	(0)	3 (20)	11 (80)		(0)	14	1.21
TOTAL	20 (1)	288 (21)	978 (71)	89 (7)	22	1397	1.15

ADVOCATES Continued

instructor for the education in law course, put him in touch with the Association for Children with Learning Disabilities. "I found they had lots and lots of complaints against school districts . . . Frequently, schools would throw kids out simply because they couldn't deal with them.

"They gave us several cases to work on. Most involved only a phone call to school officials and were successfully remedied."

About that time a VISTA worker, Mary Hoban, contacted Professor Newhouse. Ahe reported that there was a severe problem of students being suspended. There were some meetings with community workers and a "School Law Clinic" grew out of it. Mr. Rosenberg found six law students interested in working on the problem—three with much experience in dealing with youngsters and all with experience in studying education law. In mid-January they adopted the name, The Advocates.

The Advocates receive, via Miss Hoban, complaints about school suspensions. They first look into the facts of the complaint. Then they contact Professor James P. Manak, who directs clinical programs at the Law School, to discuss whether a lawyer is needed for the case. If not, they try to resolve the case by negotiating with school officials.

When a lawyer is needed, Professor Manak serves in that role and the students work with him on the case. The students also have an agreement with the Buffalo Legal Aid Bureau, Inc.



Advocates Norm Goldberg (l) and Lee Ginsberg coming out from meeting with Buffalo Board of Education.

That agency will provide an "attorney of record" if the suspended pupil's family is within certain economic guidelines. Professor Newhouse helps with "substantive law problems."

A GUIDE FOR PARENTS

Thus far, The Advocates have handled a half-dozen complaints. They have also spoken before PTA's and several community groups. They stand ready, says Rosenberg, to "research any problem related to pupil's rights in school." The students meet once a week to discuss education law and hash pending cases.

Mr. Rosenberg, with the help of Professor Newhouse, has also written a pamphlet, "School Suspensions: A Guide for

Parents." He has asked Buffalo school officials to send it home with students who are suspended. No agreement has been reached on this, however.

The law students in this program agree that, in most instances, students' rights are neglected because educational administrators do not know the law. "They are ill-informed," says Richard Steiner, one of The Advocates. "They do not apply the law as it is."

Mr. Rosenberg expects that once the word gets around of the group's existence "we'll be inundated with cases." And he expects also that school officials will then become more aware of their existence, and begin to apply the law as it is.

News Briefs

PHI ALPHA DELTA INTERNATIONAL LAW FRATERNITY SEEKS NEW MEMBERS

A membership drive of the Carlos C. Alden Chapter of Phi Alpha Delta Law Fraternity is under way at the law school. Miles Kavaller, Justice of the Fraternity, indicated that any student seeking membership should secure an application and application from Shirley's office or from any member, fill it out and return it to him. To be eligible a student must in good standing and capable of donating a small amount of time to fraternity activities. Membership fee is \$25.00 which goes to the National Organization and \$20.00 a year chapter dues. Informal arrangements for payments can be made with the treasurer for deferred payment. The schedule of events include:
 April 16 - Initiation of New Members
 April 30 - Election of New Officers
 May 1 - Clsing Affair

MARK FARRELL, SBA SOCIAL CHAIRMAN would like to announce . . .

Friday, April 16th, 9 P.M.-1 A.M. Goodyear Main Dining Room - SBA "Rock party" *Blue Avenue* will play. Bring wives, dates, girlfriends or just come stag . . . but be there!

SUMMER SESSIONS

The summer session of the Faculty of Law and Jrisprudence has been expanded to include five courses. These are Constitutional Law (a) (mann), Insurance (Donegan), Corporations (Fleming), Labor Law (Atleson), and Civil Procedure (b) (Homburger).

The classes will be held at the Law School facilities at 77 West Eagle Street and the Prudential Building. All courses will receive 3 hours credit and the cost will be \$20 per credit hour (\$60 per course) plus fees.

Registration for classes will commence April 5th. Registration packets will be available on the 11th floor of the Prudential Building or from Mrs. Shirley Ahrens, Office of Summer Sessions, 192 Hayes Hall. The summer session will run from June 7 through July 30.

Notes From Elsewhere

Syracuse: Many of the worst politicians in the country launched their careers running for law school office.

Osgoode Hall: She was only a lawyer's daughter, but a lot of judges tried her.

By Michael Montgomery

JUSTINIAN

Brooklyn Law School

Avoid the May Rush All may not be joyful wisdom in the fun city of the Great Lakes, but Prosser help the poor guy in Brooklyn Law School. According to their March issue, BLS putative lawyers can be sacked at the discretion of the faculty at any time after failing one course (straight letter grade system). Gives me the cold sweats. A senior evidence class is protesting, not surprisingly, the 51% flunk-out rate bestowed upon them. Bonne chance. It might be noted that while the BLS handbook is rather specific about the criterion for expulsion, the above "one and you're out" policy is mentioned nowhere - except by the Dean.

All is not dismal, however. BLS is putting on a play called *The Bluff* with a 52 member cast. Good training for trial lawyers.

OBITER DICTUM

Osgoode Hall, York University, Ontario.

We Should Take It Back Already?

As my friendly gendarme in the Ruratanian Border Horse Marines (*Petitio Principi*) once said, the American buck is the best passport in the world, with the possible exceptions of Chivas Regal and Raquel Welch. Ever hear of anybody turning it away? Well, wonders may happen and Lochinvar may yet come riding out of the smog on his fiery warthog to rescue the ravishing Brunhilde - Canadians don't want our money. Or at least admit that it is ours. Some of them.

The Ontario Law Students Association held a convention at Windsor, Ontario, at which studious assemblage a number of politicos rose to inveigh against the perils of the plague of green George Washingtons infesting their "home and native land." Progressive Conservative (sic?) George White, Ontario Revenue Minister, warned law students to stick their fingers in the - dike and prevent Yankee dollars from surging across the Detroit River. On the one hand he advocated opening Canada to all foreign investment, but countered himself neatly by suggesting that only certain countries would be allowed to invest. Canada should refuse to deal in any way

with the American armaments industry. White really bitched about American control of Canadian politics. Apparently, U.S. subsidiaries in Canada have made political contributions to his opponents in the Liberal Party, and international labor unions have backed his New Democratic opponents. The fact that his own part is financed by U.S. affiliated insurance companies was apparently not germane to Mr. White's discussion.

A more likely candidate for the maple-leaf crown of Captain Canada (bilingual superhero with his wonder dog Pierre) would be the foreign rape of Canadian resources and stop the processing of Canadian raw materials from being done outside the country - an economic nationalism which previsions a phalanx of Mounties stretching across the 38th parallel.

Donald Deacon, representing the Liberal Party currently in control of the Ottawa machinery, wants to have his cake and eat it too, like any good politico. Whether by "skillful diplomacy" or statue he wants American investors to continue their financial report of Canadian industry while relinquishing all control of their own companies, in effect going home but leaving their wallets behind. One procedure would be to limit (retroactively) all foreign investment to bonds or nonvoting shares. Super. Can't claim an unconstitutional taking, though - no constitution.

The rhetoric was rather phosphorescent. One cannot help wondering if the gentlemen up North have failed to note a possible inconsistency between economic nationalism and economic progress. Quite simply, for Canada to continue the burgeoning development it is presently undergoing it must keep the capital invested in it and attract more. If American and British investors are told: a) to leave, or b) to go but leave their money behind, Uncle Sugar and J. Bull Esq. are likely to pick up their marbles and go to Australia. What result? Foreign investment came about because Canada cannot generate enough of its own capital. It follows, therefore, that it can't raise the money, privately or publicly, defense against an invasion by Ashland Oil Company. Uncompensated their 8% rate of unemployment and consider the jobless rate which would occur if American investors fled from Ford, GM, Studebaker, and Texas Gulf Sulfur of Canada, or International Nickle.

THE JUDGE Syracuse Law School

Right On Only in Syracuse, where the radicals never break the windows of the banks or the garages which service their GTO's could it happen. An advertisement for ROTC applicants in a college paper, let alone a graduate rag? Granted that many Buffalo draft evaders infest local reserve units, tending to wear the funny green suit and wig - more on weekends than is pleasurable, (PUN?) but advertizing one's shame? With salary as an inducement? Such sights approach the level of functional absurdity reached by a letter General Westmorland circularized to the National Guard requesting volunteers for an Olympic handball team. To promote the youthful image of the modern action Army. Right up.

Well Traveled Consumerism and the worthies of Syracuse have discovered that, low and behold, concession prices are high on the Thomas Dewey Memorial Thruway. God help the guy whose car craps out between Buffalo and New York, for verily he will get gouged. At any rate, two professors and a number of students have instituted a research project in the area of the Thruway authority. itself. The Authority for verily he will get gouged. At any rate two professors and a number of students have instituted a research project in the area of the Thruway Authority itself. The Authority Authority under existing antitrust laws.

A Shot in the Arm

Remember back to the third grade if you can. You know, tag in the parking lot, the icy feeling of fear conmingled with foolishness when you lost your luck money. How about that line-up in the gym, redolent with mildewed sneakers and propyl alcohol as the nurse stuck a needle in your arm. What if your Dad's religion ran counter to such inoculations? The New York Education Law exempts members of some religious groups from such inoculation, but if a parent espouses no specific religious group, his kid is stuck - either by the needle, or by being booted out of school. A Syracuse professor is contesting just such an occurence, alleging unequal protection of the laws thru discrimination between affiliated and unaffiliated believers, and as coercive state action militating against the freedom of religion. The State Attorney General alleges thru discrimination between affiliated and unaffiliated believers, and as a coercive state What business of the state's is that?

Sports

Shyster's Champs

The Shyster's who also compete in the Mury League as *The Law*, have won the Internural Campus Championship Basketball Tournament. The trophy was clinched by defeating a tough *Archie* team 65-55.

In that game Terry Connors led all scorers with 20 points. He was aided by Bruce Norton's 16 points. Lee Ginsberg and Richie Clark also played their usual fine game with some excellent offensive and defensive plays. Tom Parmele, who was recovering from the flu, gathered all of his strength to keep control of the boards. Coach Jerry Solomon used his time outs very well and resembled Blue Holtzman on his continuous moves to the scorer's table.

A boxing match climaxed the game with Alan Snyder winning the main bout with a left to the head to lead *The Shysters* to victory. Due to the interest in the fight, the basketball game was ended 3 seconds early to allow all to participate.

Spring Sports

Now that Spring is here (or is it?), the sports scene turns to the out of doors.

On the first Sunday morning following Easter vacation there will be the usual pick-up softball game. Who can forget that memorable Sunday morning last Spring when Jeff Sommer pitching for the rookies hurled a perfect game. Who? . . . The upperclassmen, of course, who were the victims of this young Cy Young.

Along with the Sunday morning games, anyone can enter a squad in the internural league on the main campus. *The Shysters* who have participated in both football and basketball, will be entered in this league. Any ringers interested in playing for *The Shysters* should contact Alan Snyder.

All in all we are looking forward to a very relaxing Spring. All equipment for softball has been purchased, so just bring a his or her glove. All are invited to participate and all will play.

The annual Bob Rodecker Gold International will take place as usual during exams. Competition is light and the prize, two tickets to next year's tournament, is enticing but not tax deductible.

We have checked the Tunis-Steiner fishing reports and have been informed that as of this moment the waters are much too cold. However, the report adds that one need not catch any fish to enjoy the sport.

For further information, check the Athletic bulletin board for times and places of the events. Anyone interested in forming any teams, or in other activities, feel free to contact the Athletic Department if any assistance is needed.



Alan Snyder (l) and Professor Steven Larson with Internural Campus Trophy.

ROWAN (cont'd from pg. 1)

the superb manipulative ability of the Pentagon in selecting the facts they chose to set before the President, a skill developed far beyond that exhibited in any media presentation. Mr. Rowan theorized that Congress and the President and his staff were far from inclined to argue with the carefully culled facts and desired conclusions thereto set forth by a general.

The speaker underscored a basic development which arisen in regard to the activism which has heretofore vigorously opposed the war - that increasingly nobody seems to care. Most deliberated dissent in the country is being projected inward, onto such issues as ecology, unemployment and the economy. Such a nascent inward progression is seen as unfortunate - because the problems of the White House, the

Radical
Apathy
Party

Mike Montgomery

Well, Harold Stasson can move over a bit now. Yours truly having just lost his third attempt to be elected to the SBA, that is. Actually, getting 114 Junios to vote at all in a run-off election for a post of four weeks duration is something of a minor miracle, and my opponent Lee Ginsberg should be congratulated on taking the slot with 64 votes.

One constituent made a comment while I was dragging him bodily up to the ballot box, a comment which might be noted for future office seekers. It ran thusly:

"Don't I know you from somewhere?"

"What did you say your name was?"

"Oh, are you running?"

"For what?"

Got any issues, or is this a usual SBA farce?"

Issues?

My campaign manager, Pericles Procrastinator countered my queries about campaigning with the following aphorisms: "Tush and likewise twaddle, my boy (what did you say your name is?). Radical Apathy typifies the sapient sapiens studying stertorously in the baroque and elegant confines of hallowed Eagle Street. Come out with an issue and one guy will say 'right on', another will tell you he can't answer any questions because he didn't do the day's reading, and the other three will ask you a

Once More With Feeling...

'Wanna play some pinochle?') 'What did you say your name was?'. Let them eat cheese and pepperoni say I. Put up posters and somebody will turn them over and use them to advertise neckties."



periodical.

2. A reading week, i.e. a 6 day or so break between the end of the semester and the start of final exams. Some opposition to this proposal has taken the form of criticisms that students would then leave all their studying until the last minute.

a) Many do so any way.

b) Those who don't are presently left with the unhappy choice of either preparing ahead for finals and skipping class preparation for the last two weeks, or inventing the 30 hour day - a consummation unlikely to be fulfilled.

3. Student fees. Actually, I hate spending money. Especially my own - there is so little of it I have established a warm personal relationship with every cent, even if they are red. On the other hand, things like the SBA beer parties and (Caxton preserve us) the Opinion which probably are the two major forces unifying our amorphous student body, would not exist without student fees. If they aren't mandatory nobody will pay them and nothing will happen. More nothing even than usual. Let them eat cheese and pepperoni.

Having divested myself (in dubious faith with little consideration) of the above weighty opinions, I must inform the public promptly that Pericles P. is again above weighty opinions, I must inform the public promptly that Pericles P. is again

was?

SYMPOSIUM
(cont'd from pg. 1)

that change start with abortion. Using the example of abortion, he pointed out that a year ago it was a crime. At that time a police officer would have made an arrest, but because society, through the legislature, made a decision, making it no longer a crime, the police do not make arrests in this area today. He believes that in other areas of law enforcement there are movements for change, for example, gambling and drugs. But until laws are made one way or the other regarding these areas of interaction in society the police merely enforce laws made by society. Mr. Whalen agreed that there should be a controlled police force but disagreed with Mr. Meyers as to the extent of this control.

A question and answer period followed the presentation of the panels in which the Prisoner Release Program of Erie County was explained, current drug problems at the University and general narcotics problems in society were discussed, and questions concerning the new minority hiring program of the Buffalo Police Department were answered.

The symposium ended with an informal coffee hour where students had an opportunity to discuss the various topics with members of the fraternity and the panelists.

Pentagon and the country may well erupt again as trouble breaks in other areas such as the Middle East.

In response to many queries in regard to the media in the Asian conflict, Mr. Rowan noted that on the spot war coverage initiated in WWII and the Korean War and widely expanded in Viet Nam has brought the terror and disgust of war to American public opinion. At the same time, Mr. Rowan made observations on his own experiences overseas by commenting that TV coverage was not really too accurate, that television cannot really tell the whole story. Each network had seven crews in the field - with 100 contacts a day it was hard to get the "bang bang" they were after. Often enough reporters took lonely walks in the sun and generated filler commentary. The speaker noted that for the public to be well informed it ought to examine the totality of the media, not just the boob-tube. Mr. Rowan brought out a major problem with TV, a factor which contributed to his decision to leave CBS and come to the Queen City. These were the attacks by Agnew on CBS and the other networks which made the powers to be very nervous. . . . Such harangues from the government led to a counter-productive editorial mellowing or disregarding of the judgements and opinions of reporters. Relative to Pentagon news blackouts on such as that which precede the Laos invasion, Mr.

Rowan saw little evil in them - up to a point. It would obviously be both foolish and dangerous to disclose major troop movements, but where the world somehow knows what is going on any way there is little point in staying in hiding.

The speaker considered Lt. Calley to be a scapegoat, to some extent - the Army being full willing to hang a lieutenant and fire General Koster to keep up its image. On the other hand, Mr. Rowan felt that there was little doubt that Calley did perpetrate that which he stands accused of, acts which are unforgivable under any circumstances. He also saw some racial overtones in the reciprocal slaughters drenching Southeast Asia - the Orientals hate us, and we don't care for them. "They have their own system of corruption and don't like ours." In regard to economic corruption, Wednesday's speaker noted that there is systematic corruption in the U.S. Army controlled by senior NCO's while the Saigon government is totally corrupt and Americans cannot understand why it is that fairly self-sufficient villagers don't wish to subject themselves to such a regime.

One member of the audience questioning Mr. Rowan elicited the opinion that the disregard of orders be lower echelon troops, recently highlighted in the case of one armored company, was not only not infrequent but was and are often justified in view of a variety of unintelligent blunders by those in command.