

9-1973

## The Caveat, September 1973, #2

Follow this and additional works at: <http://digitalcommons.law.ggu.edu/caveat>



Part of the [Legal Education Commons](#)

---

### Recommended Citation

"The Caveat, September 1973, #2" (1973). *Caveat*. Paper 28.  
<http://digitalcommons.law.ggu.edu/caveat/28>

This Newsletter or Magazine is brought to you for free and open access by the Other Law School Publications at GGU Law Digital Commons. It has been accepted for inclusion in Caveat by an authorized administrator of GGU Law Digital Commons. For more information, please contact [jfischer@ggu.edu](mailto:jfischer@ggu.edu).

# CAVEAT

PRINTED IN U. S. A

Volume IX No. 2

Golden Gate University School of Law

September 1973

## JAIL COUNSELING PROGRAM

Starting this fall semester Golden Gate University will offer clinic credit for the LAW STUDENT LEGAL COUNSELING PROGRAM FOR THE SAN FRANCISCO COUNTY JAILS. The program was originally part of a course (Prisoner's Rights) created and taught by Ms. Carol Silver, and is designed to both help inmates with legal problems (other than their obvious one) and teach law students about the workings of the criminal justice system.

The program is operated under the auspices of the Sheriff's Department Rehabilitation Office at San Bruno jail and a supervising attorney. The program functions basically as follows: Inmates with legal problems beyond the scope of the Rehabilitation Office and appropriate for law students under the

(continued on page 4)

## DEAN RESIGNS

Dean Lani Bader has announced his resignation after five years as Dean of the Golden Gate University Law School. His announcement was made on August 28th to the Board of Trustees through Otto Butz, President of the University. The resignation becomes effective at the end of the 1973-74 academic year.

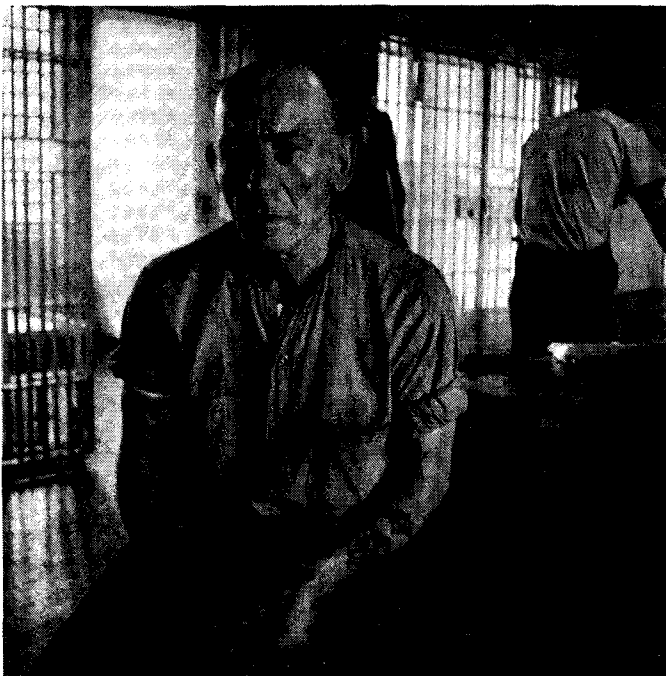
The Dean cited a checkered career which has brought him from a start at surfdom renown through various adventures to Dean of GGU Law School. Smiling his Cheshire cat grin he said that he enjoyed his tenure as dean, adding that "five years is enough for anyone." The Dean intends to return to the teaching aspect of law school after an indefinite period following his resignation.

## NEW N.Y. DRUG LAW

As of September 1st New York will have one of the harshest drug laws of any state in the Union. Penalties for possession of dangerous drugs will range from a minimum of one year for first conviction of possession of 1/8oz. of a major narcotic to life imprisonment with no parole for sale of a pound or more of heroin, cocaine, morphine or opium. Marijuana is not dealt with in the new law. Additionally \$1000 bounties are provided for those supplying information leading to conviction of pushers.

This harsh law marks a turnaround in the drug field for the Empire State. For the past five years Governor Rock-

(continued on page 2)



## Dean Search Committee

Dean Lani Bader's resignation has prompted University President Otto Butz to propose a Dean Search Committee. The proposal, which has already been agreed to by the faculty, will be presented to the Board of Trustees, at its September meeting.

In presenting his proposal, Butz spoke optimistically while assessing the member's chances for working together successfully and smoothly. The seven man committee would be comprised of 2 Trustees, 2 faculty members, two student SBA officers, and Butz, as a non-voting member.

John Newcombe, as chairman of the Board of Trustees, and Roger Bernhardt, as chairman of the faculty are responsible for choosing the representatives from their respective groups. Professors Rosenak and McKelvy are willing to be considered for faculty positions according to President Butz.

Butch Grover, President of the SBA, would serve as one of the student members, along with one of the two SBA vice-presidents.

(continued on page 3)

## Drug Laws continued

Rockefeller has put New York in the forefront of those states providing programs for drug users and treating the problem as a medical rather than criminal problem. The thrust has been decidedly changed with the advent of this new law which was entirely a Rockefeller brainchild.

The bill itself is a classic example of the massive muscle New York's chief executive can rally for pet programs. The measure was opposed publicly and vocally by prosecutors, the Civil Liberties Union, the Conservative Party, the Democratic Party leader in the Assembly, the Judi-

cial Conference, police associations, New York Mayor John Lindsay, and by an impressive list of leaders in the drug field and law enforcement machinery throughout the state. The bill was brought out onto the floor or the legislature after appearing on the calendar several times prior but being recalled when it appeared the mustered votes would not materialize. In a last minute effort as the 1973 session drew to a close in May the procedure of a Message of Necessity from the governor was employed to bring the bill to the floor of the houses, bypassing the normal procedure of committee consideration and preventing full debate. The bill itself became known to legislators literally hours before they voted it into law though speculation as to its content had been widespread in the capital for weeks.

In what one legislative aide characterized as a "classic proof of Rockefeller political clout, and rank and file discipline among Republicans" the bill passed on a straight party line vote. The bill, providing for an additional appointment of 100 new judges to carry the expected load of cases "is expected to find most of its members from the 1973 legislature, which is a common practice by New York's chief executive" the Democratic aide said. Provisions are for mandatory life for sale of one ounce or more of the four major drugs, parole after 6-8 years for sale of 1/8th oz. to 1 oz., 5 grams or more of amphetamines, five milligrams or more of LSD, possession of one to two ounces of major narcotics, 10 grams or more of amphetamines or 25 mg. or more of LSD. Sale of 1/8th oz. of a major narcotic brings a life sentence with parole possible after 1-8<sup>1/3</sup> years on first conviction. Plea bargaining is sharply curtailed.

## An Interview with Myron Moskovitz

Q. What kind of background do you have? Did you go right into law school after college?

A. No, my father owns a men's clothing store here in San Francisco and I worked for him for a long time when I was growing up. After college I worked for him for a year and I had planned to stay with it but I didn't like it.

Q. Why did you decide to study law?

A. I had some friends in law school and I talked to them, had seen a moot court in law school and thought it might be interesting.

(continued on page 6)



continued

### Dean Search

Butz stated, "The initial sessions would be devoted to a stock-taking of the issues, problems, and choices facing the Law School, to assist in better deciding what type of person, with what particular strengths, should be selected."

These initial meetings will be opened to all faculty members, students, and staff, interested in contributing facts and views, pending approval of the proposal by the Trustees.

COMPLETE LINE  
of  
STUDY AIDS

law outlines  
used casebooks  
can briefs

CAMPUS TEXTBOOK EXCHANGE  
2470 Bancroft Way Berkeley

### Hacker's Holiday

The first annual "Hacker's Holiday" of the law school is now in the planning stage. The tentative date is November 23rd, the day after Thanksgiving. A small fee, probable \$1.00, will be collected and used as prize money. After the round of golf there will be a no-host cocktail hour at which the scores will be tabulated and the prizes awarded. The Callaway Handicap System, that uses only the score for a single round of golf, will be used to calculate the net scores. Prizes will be for low gross score, low net score, and possible other categories.

Details can not be arranged until the interest level is determined. All members of the law school community that play golf, or a reasonable facsimile thereof, are asked to leave a note in the Caveat mail box. The note should include your name, a proposed date for the outing if November 23rd is unacceptable to you, and suggestions for golf courses where the outing should be held.

# PRISON PROJECT SEEKS VOLUNTEERS

continued

supervision of an attorney will be referred to the law students. The student will go to County Jail #2 (San Bruno) and interview these inmates and determine what action is necessary to solve or help with the problem. The student will maintain a caseload that allows him time to give effective aid to the inmates and learn as much as possible from the problem. This means that the student may not take new cases each week if others are pending. Depending on the caseload and type of problem, the program will require from between five and fifteen hours per week. The student will also be provided with an orientation to the jail, a manual covering the procedures for the most common types of problems, and assistance from the co-directors and the supervising attorney.

In the past the program primarily dealt with problems relating to inmate incarceration (i.e. disputed release dates, credit for time served, and warrants from other jurisdictions, and though these are problems of the highest priority to the inmate, they tend to become routine. The limited number of law students and the overwhelming number of these types of problems meant there was time for little else.

The jail has recently obtained the services of twenty VISTA volunteers who will be case workers and handle the more routine matters, referring to the law students the more substantive legal matters, thus making their work more interesting.

The program offers the student a chance to learn and work in the real criminal justice system. The starting point is when the person is already in jail rather than

from the time of arrest. There is also practical experience in dealing with many of the law enforcement agencies and with real people to help.

To work in the program one need not be doing so for clinic credit. Up to this point and throughout the summer it has been staffed by volunteers from the various law schools around the Bay Area and students from other schools are currently in the program as volunteers.

For more details contact:  
 Alfred Buchta 552-3095  
 Russell B. Longaway 647-3848  
 Susan Bender-Clinic Director

## Law Review

Any Golden Gate law student who has completed the first year may submit an article to the Golden Gate Law Review. All articles will be considered for publication subject to space available in the respective issues.

An article may be submitted even though it has been or will be submitted in a course at the law school. However, the standards of publishable quality are likely to be much higher than course grading standards. Please do not waste everyone's time by submitting articles which do not at least approach publishable quality.

The deadline for articles for Volume 4 #1 is October 29th; for Volume 4 #2 the deadline is January 21st.

Articles should be left either in the Law Review box in the Faculty Center or in the Law Library. Any questions which you may have concerning the submission of articles should be directed to Bob Brown.

---

The 'Letters to the Editor' box in the hall is not an ornament-- it works!  
 All contributions to the Caveat are tax deductible.

# LETTERS

Caveat,  
In re Aberlone, Rose of:\*

The bull in your poem,  
"Rose of Aberlone,"  
Might have well left me wowed  
Had I not been cowed  
By your trial to milk  
A tail of that ilk.

That you could corral  
So much doggerel  
From sales of cattle  
And passage of title,  
From flights on chattel,  
The real left idle--  
On that I'll demur;  
res ipsa loquitur.

Of calf Rose was full,  
And not merely doctored,  
'Twas known by the bull  
Post hoc, ere, he propped her;  
So there was no fraud  
Till Rose met the bard  
And joined readers as victims:  
The poet has dictum.

The bull got his groans,  
And Rose got her moans,  
But what did I get for my money?

The poet, with zeal,  
Has butchered the veal--  
In brief, I've been served  
(A)berlone(y).

Cordially, Dave Frank



Caveat,

What happens to papers and exams  
received by profs?; and why doesn't  
the law library catalog and shelve  
papers done by students?

RE papers in library: supposedly  
a paper done for a course is a re-  
search product. If it weren't a  
topic of interest, presumably it

wouldn't be approved as a paper. A  
paper likely represents depth re-  
search on a topic, and thus might  
be of interest to people other than  
the prof who assigned it and the  
students who wrote it. There is  
adequate space in the library to  
catalog and shelve at least the  
current year's crop of papers, and  
the back rooms of the library  
could house vintage material, until  
the new building is built. The  
card catalog could contain the en-  
tire list, not just those on stu-  
dent-access stacks. A rack of  
papers available to a student who  
contemplates, or is in the process  
of writing, is a resource of compar-  
ison on how to, and to not, do it.  
Having to hunt down a prof, dig out  
of him the topics his students from  
last semester or last year did papers  
on, and then having to hassle with  
the document security problems is'  
no way to disseminate information.  
Because I was part of the team which  
did the work-study project for SIR,  
I am interested in the related ma-  
terial developed in papers for Golden's  
Sex and the Law course. The thought  
of having to politic my way into  
Golden's approval to read his class's  
output is enough to make me avoid  
reading what they did. Yet I  
could probably get a good precis of  
the XY chromosome literature if  
one of his students did a paper on  
that topic. I'm not seeking to do  
a law review critique of another  
student. I am hoping to find a  
good collection within the paper's  
thesis of the relevant literature,  
or references thereto.

Let's open the doors, and share  
the knowledge.

J. M. Beckerman

**MYRON** continued

Q. Did you enjoy law school?

A. Yes, I found it very intellectually stimulating. I liked the problems, I liked the quality of thinking on the professors' part; I was very impressed with it compared to undergraduate school which I found very unstimulating, just a bunch of memorizing.

Q You graduated in 1964. Was it easy to find law-related jobs then?

A. Well, I applied for a clerkship that was the only thing I was interested in at that time so I really didn't look at the whole job market.

Q. You were a clerk for Justice Peters in the Supreme Court of California. Was that an interesting job?

A. It was very interesting. I saw how the court worked, how judges worked and Peters was an excellent guy to work for, very conscientious and his views were very compatible with mine. So far as experience for practicing law it was of limited value because you don't really get to see much day to day stuff that lawyers do or trial courts do, but I enjoyed it.

Q. After that you worked for whom?

A. I worked for a private firm in San Francisco, Dinkelspiel and Dinkelspiel.

Q. You were a junior partner?

A. No, an associate attorney.

Q. And how did you like that job?

A. I thought I would like it. It was a rather prestigious commer-

The Caveat will gladly publish your letters, articles, ditties, or whatever-- contingent only upon their legibility, and length.

✦ **MM the Man** ✦

He is a native San Franciscan and 34 years old. Went to college at U.C. Berkeley and obtained his law degree at Boalt in 1964. Likes to play tennis and the guitar and is an amateur photographer. He is married and has had extensive outside experience as a clerk for Justice.Peters attorney for OEO, CRLA and the National Housing Law project. Just recently he argued the case of the Berkeley rent controls passed by the city of Berkeley in the recent Presidential election.

cial firm, very old line firm. I didn't find it very satisfying. They were very good lawyers and very smart and some of the problems were interesting, but I couldn't really get turned on to it because it didn't seem to make any difference who won. It wasn't so much oppressive as meaningless; one corporation fighting another over things that really didn't matter to me. I didn't see that it made any difference why either one of them won and I couldn't get that excited about it. Plus they were rather stuffy people.

Q. Then you went to O.E.O. How did you like it?

A. Well I worked in the general counsel's office in Washington, the OEO headquarters. In 1965 there wasn't much happening by way of opportunities for lawyers in social causes, virtually nothing. That was all I knew about from reading in the newspapers. Of course I had never been active in anything like that myself before. I contacted both OEO and the Justice dept., Civil Rights division and decided on O.E.O. It was very interesting. I'd never been exposed to anything like that. It turned out I over all did not like it. For a government agency it was a lot looser than most of them you

(continued on page 7)

# MYRON continued

can find but there was still too much bureaucratic bullshit for my taste and also I didn't like the compromises you had to engage in; I couldn't stomach it. Sargent Shriver was the director then and there were certain compromises made which I felt were not fair and not good for poor people. I took a kind of purist hard line and, I guess, couldn't really adjust to the fact that you had to wheel and deal in government agencies.

I wasn't on the action end but rather the grant-giving end. At that time it was a very interesting place to be because all the programs were being set up, all the programs that have now been around for awhile and are now being knocked out, and a lot of people in the agency at that time were very imaginative people. They were setting up the Legal Services Program and the Headstart program, community action program so that part was interesting. But the decision as to what actually went out and got funded and also what programs got cut was made at the highest levels and often there were political influences on what was decided, which had a restraining influence on what happened in the field and that I didn't like at all.

Q. After OEO you went to..?

A. Then I went to CRLA; California Rural Legal Assistance. I opened their office in Marysville and ran it for a year and a half.

Q. What exactly did the CRLA do?

A. The CRLA had at that time a main office and nine regional offices in various small communities in California valley running from the Mexican border to my office which was the farthest north, in Marysville, in the Sacramento Valley. We represented poor people

CAVEAT is published by the GGULS Student Bar Association at 536 Mission Street, San Francisco, CA 94105

Editor: Jack L. Kessler

Assoc. Editor: Ralph Behr

Staff: Andrew Allen, Jeffrey Blum,  
David Dickson, Philip Smith

Photographer: Joel Blackman

Contributors: J. Kubancik,  
Russell Longaway

The views expressed in the CAVEAT are not necessarily those of the law school, nor of the Student Bar Association.

in rural areas. Some offices, mine did, I think more than any, focused on Mexican-American farm workers.

Then I went to the National Housing Law project in Berkeley.

Q. And you were chief attorney there?

A. Yes.

Q. And just what exactly did you do?

A. We were a backup center to help out legal services attorneys all over the country on housing law problems. My main focus was landlord-tenant law. I helped out attorneys around the country, advising them, helping them in litigation. I did a lot of writing articles and books on the subject to get that information out to them.

Q. So you were a sort of research type team?

A. A resource that involved research plus a lot of practical

(continued on page 8)



# MYRON (continued)

advice and I was involved in a lot of cases too.

Q. Then from Berkeley you came to Golden Gate?

A. No, then I worked for San Mateo County legal aid for a short time.

Q. Was that similar to your other jobs, CRLA etc?

A. Well somewhat. I was director of litigation there. It was a different type of program. CRLA was all rural and of course National Housing Law project had a nationwide perspective, it covered problems all over the country. San Mateo County is suburban with some different types of problems.

Q. Then you came to Golden Gate?

A. After San Mateo.

Q. What do you think of Golden Gate as a teacher?

A. Well I like it a lot. When I thought about coming into teaching Golden Gate made me an offer and I considered, since I was changing careers, looking into other schools. Of course I've had some acquaintance with other schools and I really didn't bother following it up. When I was at the housing law project my office was at Boalt Hall for three years so what with also going to school there I was pretty familiar with what happened there. From what I could see it was a very high-pressure operation, a lot of cliques running around, running things and manipulating things. They're basically good people over all. I liked a lot of them, most of them, but if I needed a high pressure job I might as well stay practicing law. I liked the atmosphere at Golden Gate where there didn't seem to be that pressure of ambition, to write a lot and become a noted authority in a certain area. I do some writing and I enjoy it but I want it to be my own decision when to do it and not feel all

that pressure. Also I liked the idea that everyone seemed to get along. Of course you can be deceived when just interviewing for a job but since I've been here I've been kind of overwhelmed by that fact being verified day after day. We have a faculty of about 15 full time professors and they all get along really well! In all the jobs I've had I've never seen anything like that happen in an institution of this size. You always have some feuds and backbiting and shit like that. There's nothing like that here! I think the relations among the students and the students and faculty also reflects that. I mean there are little things now and then but overall the atmosphere here is so pleasant for this many people in what people usually think of as a field that attracts competitive people, which is true. I think it's amazing. I don't think there's anything like it anywhere. For that reason I really like it here. Of course I like teaching itself as a field but this is the place to do it.

Q. Then would you say you really prefer teaching as opposed to practicing law?

A. Oh I do, yes. That fits with my own temperament and interests. A lot of the aspects of practicing I liked. There were places where it required a high degree of intellectual analysis and challenge but there you would work on only one interesting problem for long periods of time, whereas every day I go into a classroom I can analyze many problems sometimes twice a day. Also I like the people I meet here.

