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The Caveat, October 1973

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CAVEAT

Volume IX No. 1 } Golden Gate University School of Law

OCTOBER 1973

A.A.L.S. ACCREDITATION SOUGHT

by Andy Allen

Perhaps, while going to or from class, you have heard the din of jackhammers rising from the basement of our school. "What is all this noise?" you may ask. Well, it comes from a \$90,000 conversion of the basement into library seating. This may seem like a lot of money to pay to sit down but Golden Gate is thinking about more than your feet; it is trying to fulfill the admission requirements of the Association of American Law Schools.

The Association of American Law Schools, like the American Bar Association and the Committee of Bar Examiners of the State of California, is an accrediting agency. These last two agencies allow us to take the Bar here or in other states and Golden Gate Law School is accredited by both. However we do not have AALS accreditation. AALS accreditation is essentially a matter of academic standing. It is important to have for a continuation of legal studies toward an LL.M. degree or a teaching position. It also carries a fair degree of status. If you graduated from Golden Gate and wished to transfer to an AALS

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ADMISSION STATISTICS

by Ralph Behr

Statistics compiled of this Fall's entering class indicate a continued rise in academic standards for admission. Despite a fall in the number of applications, GPA and LSAT medians rose, indicating that better students are competing for admissions despite a decrease in the number of applicants. Such a trend suggests the high regard GGU Law School has achieved among applicants for law school.

The median LSAT score for regular admissions is 620, median GPA is 2.92. Women are presently 43.8% represented in the Day division, 29.8% in the Evening division, an overall 38.7% of the total class of 256. Minorities are 9.4%.

The fall in volume of applications, from 2,700 to 2,500 this year, with a corresponding rise in student quality is unusual among law schools. In a year that most admissions people regard as the crest in applications for spots in law schools, such a rise in the quality of student, is an indication that GGU is a school able to draw better students in a market among law schools that is becoming increasingly competitive.



PROFESSOR SEGAL (See Page 4)

CRIM LAWYERS CONVENE

by Paul Glusman

"Ninety-nine and eight-tenths percent of police officers lie, especially in 1538.5 (suppression of evidence) hearings. Even the judge knows the mother is lying, but he doesn't have the guts to do anything about it. Cops are always smelling smoke. After they've torn up a house for three hours and finally found an ounce of marijuana under a rug in a back room they'll go into court and tell you they smelled marijuana smoke as they were driving by."

Charles Garry was explaining cross-examination to a seminar of the Criminal Trial Lawyers Association held Saturday, September 29, at the San Francisco Hilton.

The Continental Ballroom IV is one of those sensory deprivation chamber multi-purpose hotel catering rooms which would serve equally well for little David Schwartzbaum's Bar Mitzvah, or a testimonial dinner for the International Order of Foresters.

Above my seat hung a neutral chandelier, casting no shadows, simply blending in with the non-committal coloring of the room. It was shaped modernistically from plastic apparently supposed to resemble icicles, and would, I knew, be quite dangerous in the event

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Exclusionary Rule Abolition

PRO:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized".

The Fourth Amendment has come under new scrutiny recently, as lawyers, judges and legislators debate the propriety of the exclusionary rule. The "s & s" rule, most definitively set down in *Mapp v. Ohio*, provides that illegally seized evidence is inadmissible in state courts.

Since then, numerous rulings, which collectively form the case law, have enumerated the criteria for what is to be considered unlawful search and seizure. And Gov. Reagan, acting last week on the recommendation of his Select Committee on Law Enforcement Problems, proposed the exclusionary rule be banned. The legislature is now considering such a bill, SB 1135.

Far from abrogating the Fourth Amendment, Los Angeles Police Chief Ed Davis feels SB 1135 would "roll back detailed, pedantic, impractical and destructive court decisions."

Los Angeles County Sheriff Peter Pitchess agrees. "The exclusionary rule . . . for many years has completely tied the hands of law enforcement and the courts in bringing the guilty to justice," he says.

What is at issue is whether law enforcement agencies can use their own discretion in obtaining evidence on the scene of a crime. Davis notes that one-third of all cases handled by his office have been lost because the court ruled pertinent evidence was obtained illegally.

"The drafters of the constitution never intended these post-Mapp (*v. Ohio*) decisions," he says, adding that "no one really understands the exclusionary rule."

On the question of whether dissolution of the exclusionary rule would provide adequate protection against excessive police action, Pitchess is emphatic.

The bill, "would not exclude from introduction into evidence contraband seized and later suppressed because a minor technical violation of the exclusionary rule had occurred," he notes.

The constitution already provides the citizen with adequate safeguards against illegal search and seizure, said Davis. "I don't really think the Fourth Amendment can be abrogated through legislation. There has to be carefully drafted legislation that would ban unreasonable searches" but at the same time not handcuff police efficiency.

According to Officers Pitchess and Davis, that "carefully drafted legislation" is SB 1135.

CON:

Current legislative effort to repeal the exclusionary rule, which is designed to protect citizens from illegal search and seizure tactics, has come under sharp attack by the Los Angeles Trial Lawyers Association.

In a resolution passed at its monthly Board of Governors meeting, the attorney's group condemned attempts to do away with constitutional guarantees against unreasonable search and seizure and warned the public not to yield to pressure to give up a fundamental right.

The action was aimed at State Senate Bill 1153, which would limit redress against illegal search and seizure only to damage suits, rather than the suppression of unlawfully gained evidence.

The bill, introduced by Sen. Robert J. Logomarsino, R-Ventura, is scheduled to be heard on the Senate floor next week. It already has passed the Senate Finance and Judiciary Committees.

In addition to noting the fundamental reasons for the establishment of the exclusionary rule, the resolution pointed to three recent events which highlight the importance of the rule in protecting the public.

Drawing attention to the Watergate investigation, the LATLA document noted that "the perpetrators of Watergate committed acts which violate constitutional provisions against unreasonable search and seizure."

Had the Watergate conspirators entered the premises to bug private citizens and thereafter utilized such secret recordings to institute criminal prosecution, the evidence obtained illegally on those tapes would be excluded in criminal prosecution, the resolution said.

This makes it clear that the rule is designed to protect the citizen against illegal investigations, rather than to "coddle criminals," the resolution pointed out.

WOMEN'S LEGAL CENTER

by C. Norma Baiocco

The Women's Legal Center of East Bay, a community service project designed to provide women with legal self-help advice, is located at 2700 Bancroft Way, Berkeley (across from Boalt Hall). The Center provides three much needed services:

Counseling — Members of the Legal Center will confer with a woman seeking legal advice to help her determine whether she should hire a lawyer or use self-help procedures, such as Small Claims Court. Representatives from the Center will help anyone who decides she wants to handle her legal problem herself.

Women who need an attorney also need other kinds of advice and support. Women's Legal Center therefore works closely with the Women's Center, a

GGU IMPROVES ON BAR

by Jeff Blum

Recent statistics by the California Bar indicate that Golden Gate, having improved markedly over recent years, now ranks near the top amongst Bar Accredited Law Schools in the state, as to success rates on the Bar exam.

Cumulative statistics for 1970-1972 report that 49% of the students from Golden Gate taking the exam, passed the first time around, with 81% passing after two attempts. However, for the Fall of 1972, 50% of G.G.'s students taking the exam passed the first time around, and 89% passed by the second. These percentages ranked G.G. 15th and 9th respectively, as compared to the other accredited schools in the state.

On a statewide level, Stanford and the University of Cal. at Berkeley predictably had the highest success rates with 86% and 85% passing the first time around. These percentages are markedly higher than the state level for 1972, and the spring 1973 exams, of 67.8% and 64.3%.

Out of the 3908 people that took the exam in the fall of 1972, 2213 passed, for an overall success rate of 56.6%. However, of those people taking the exam for a second or third time, only 26.9% and 13% passed.

Statistics for the Spring 1973 exam indicate an upward trend in G.G.U.'s success rate. Of thirteen G.G.U. graduates taking the test for the first time, eleven passed, for a success rate of 84.6%. This is comparable to Boalt and Stanford's showings on the Fall 1972 baron which they ranked first and second, respectively.

G.G.U. was fifth in the state as to average exam score.

central clearing-house for information on community facilities such as health clinics, child-abuse prevention centers, rape clinics, and child-care centers.

Referral — Women's Legal Center collects and disseminates information about legal resources in the community, particularly organizations and individual feminist attorneys that demonstrate both commitment and sensitivity to the special problems of women in our legal system. All referrals are followed up until the case is concluded.

Education — Women's Legal Center disseminates information to women concerning bills pending before the state and federal legislatures affecting the status of women in the areas of consumer credit, community property, abortion, welfare, child protection, employment discrimination, and divorce, to name a few.

If you wish to volunteer — or need legal help — contact Norma Baiocco or call the Center at 548-5297 (548-LAWS).

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Editor: Jack L. Kessler

Assoc. Editors: Ralph Behr, Jeff Blum

Staff: Peter-Paul Alcantara, Andrew Allen, David Dickson, Ron Kagen, Philip Smith

Photographer: Joel Blackman

Contributors: C. Norma Baiocco, Paul Glusman

New ABA Pres Speaks Out

"We have to depoliticize the Department of Justice," ABA President Chesterfield Smith told an applauding audience of the annual conference luncheon here yesterday.

Smith, in a witty but stinging address, told members of the California State Bar he wanted to "broaden the general participation by the average lawyer" in the affairs of the organization he hopes will become the "national voice of the (legal) profession".

"We need to hear from you," Smith said, in advising attorneys he would try, in his tenure in office, to improve communications between "lawyers down in the field and those of us in the Ivory Tower".

He promised tough action on:

- "The appointment of political hacks to the U.S. Attorney's Office."

- "Federal regulatory agencies where judges oversee" both investigators and prosecutors".

- Improving the "disciplinary process" for unfit lawyers, a process he said was "deplorable" in at least two-thirds of the states.

- Ways and means of improving federal law enforcement agencies "to eliminate obvious and glaring deficiencies".

- Mandatory courses for all law school students on "legal responsibilities."

Of Watergate, Smith said "the end hasn't come yet" in promising to establish a national center to coordinate the disciplinary process throughout the country. He added that "the attorney general of the United States should not be a campaign manager," as had been the case under Presidents Truman, Eisenhower, Kennedy and Nixon.

He suggested that perhaps the director of the FBI should serve an eight- or ten-year tenure, although he praised J. Edgar Hoover as "once a great man". He

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AN INTERVIEW

By David Dickson

Just recently I talked with Bernard Segal. The conversation was held in his office. As you walk in you see two posters, one with an old woman in a rocking chair flipping you the bird above a caption that says "Express thyself"; the other with the Man from Glad pointing out the benefits of glad bags to keep marijuana neatly stashed. As you look around you see newspaper clippings, cartoons and other assorted materials attached to the walls. There is a lonely plant with a watering can nearby and a profusion of books and other printed matter strewn about the office.

Mr. Segal invited me to sit down, which I was able to do after I cleared a seat of some of that ubiquitous printed matter. He immediately made clear the fact that he would rather I did not tape the interview because he felt I should do impressions of him rather than quote him verbatim. Since I hadn't been able to get the recorder anyway, I graciously agreed.

Mr. Segal attended college at Temple University. He obtained a B.S. in Political Science then went on to get his Masters in Political Science at the University of Pennsylvania. He decided to go into law because he did not wish to be a spectator. In his college career he had worked for the college newspaper and had majored in Political Science mainly to be able to have an insight into political reporting. He switched to law because not only could he be active rather than passive but also there was the element of the idealistic about it.

In 1972, as the chairman of a delegation to the Democratic Convention he got a feel of idealism in politics. He found, at the convention, that a lot of political immaturity was going around. He felt that the delegates had forgotten the real objectives and, perhaps in the flush a victory, had settled down to squabbling amongst themselves, having forgotten or maybe never having learned how to compromise. Because of this Mr. Segal characterizes the 1972 election as having been won by default. His prediction for 1976 is that a candidate similar to the pre-convention McGovern will be the next President of the United States.

Next we discussed Golden Gate. Does he like G.G.U.? The answer is yes. To him G.G.U. represents a law school on the brink of transition. The next

ten years are the ones which he feels will see a great change in the law school. In this he sees the opportunity to make G.G.L.S. something unique and not just another respectable law school turning out competent corporation lawyers and nothing else. Directions in which he would like us to expand? For one he feels that the area of computers and the law is one which will begin to become very important. For G.G.L.S. to get in on the ground floor in that area might be very advantageous. Also the area of public service law; consumer laws, environmental law, aid for the poor, in all these areas lawyers have no real training in school. Obviously the area is growing at a rapid pace. Finally he feels that G.G.L. S. should try to produce lawyers with better litigation skills than the ones that are now coming out of law school. In conjunction with that he feels we should have more courses that emphasize legal writing. To prove that he practices what he preaches I was shown a very impressive book he had written in collaboration with two other lawyers — on how to conduct litigation, of course.

Since he has all these ideas as to the direction G.G.L.S. should go perhaps he would like to be the next dean? Definitely not. All the changes, he feels, should not be imposed from the top but rather should grow from more of a consensus of direction created by the school as a whole.

One of the things I had noted before our conversation was that he was an expert on drug cases. Why drug cases? Because back in the late 50's and early 60's there were so very few of them, so little knowledge of them that any lawyer with just a bit of knowledge of the field was far ahead of anyone else. He did have that little bit of knowledge and therefore got a lot of referrals. Also he found that he could empathize with the defendant in a drug case a lot better than he could with, say, a murderer or burglar.

Victimless crime in general makes no sense to him. The common law, he explained, was based upon the principles of protecting a person from being victimized by others. He suggests that all victimless crimes be done away with in that they use up the police's time, clog up the courts and generally waste time.

Just before getting up to go I asked him if he was doing any court work now. He answered that he was working on a few appellate cases that had appealed to him as interesting; work that he could fit in around his teaching schedule.

I got up to go and on leaving, assessed my overall impression, I found myself thinking that perhaps criminal wasn't such a bad field to go into after all.

IN THE ALLEY ONE NIGHT

One night not too long ago I was walking down the alley, deep in legal musings, but chanced to spy a sign on the window of Ecker's which read, "Protected by A.B.A." My intense steeping in all things legal led me instantly to conclude that the legend thereon was meant to be a warning to all persons whomsoever that eating a sandwich therein without paying therefor would lead to the speedy filing of a suit for tortious conversion thereof, by a member of the A.B.A., aforesaid.

But, I pondered, in our inflation ridden era wherein the remuneration commonly paid even to green attorneys has mounted to a level whereat it begins to be comparable even to that earned by the hamburger jockeys at McDonald's, is this likely? To wit, would the game, or 'suit' as it is often called, be worthy of the fair market value of the candle? Obviously, so much so as to forfend the former. But I wax epideictic.

That the letters might stand for 'Amalgamated Burglar Alarm', or some such, flitted briefly to mind and was as quickly dismissed. Mid the turmoil of the city one who became alarmed at loud noises clearly wouldn't last long. Thus it was inconceivable that the brief slogan had anything to do with alarms. Moreover, what would one amalgamate with a burglar alarm — the DEW line?

As I came to Jessie Street I saw that the front door of Ecker's had been broken open and that there was someone inside the darkened eatery attempting to repair one of the cash registers with a crow bar. Almost in the same instant I detected a car full of San Francisco's Finest fearlessly and stealthily approaching the scene in hopes of apprehending red-handed the no-doubt armed and dangerous felon, their siren on full.

But the freshly massaged Myrmidons of Justice were not undetected in their arrival for there then streaked onto the scene, Chinese worker's cap afire and all, none but that Bastion of the Defense, that Pillar of the Constitution, that Wheelhorse of Democracy, that Protector of the Infamous, Bernard Seabird. Bernard Seabird, Esq. — none but he.

In his usual apologetic, self-effacing, and soothing manner, though with unwonted directness, he addressed himself to the foremost of the constables — though he first glanced at me in hopes I might introduce him to the worthy and thus spare him the embarrassment of having to speak to one with whom he was not properly acquainted. Never having had the

pleasure, I averted my gaze. Mortified, but not outwardly daunted he spoke.

"Your honor", he saith, "How dare you! How dast you! How can you thus trample under jackbooted foot the rights, the precious, nay, sacred, holy even, rights of that poor lad for which our forefathers fought (Not the lad, the rights, mind you). Have you scales on your eyes that this search and seizure is unconstitutional in root and branch, let alone fruit, and that your evil design is thus sure to fail?" he meekly offered.

"What search? What seizure? What unconstitutional? We're just gonna bust this creep for robbin' this here snackery." blustered the head-busting gau-leiter whose personal hero was no doubt Bill Connors.

"I am not misled by that sort of razzle dazzle police jargon, and I assure you I take a very dim view thereof. And under Jones v. United States (that's "of America" I might add) 327 U.S. 257, 80 s. ct. 725, 4 L. Ed. 2d 697 (1960) you Thugs in Blue may not search without warrant premises where the defendant has a reasonable expectation of privacy. Now I ask you, why do you think that pure-hearted innocent went in there at night if not in the expectation of a little privacy? Hank? Hank? Answer me that if you can." Seabird shyly suggested to the Inhuman Machismo-Crazed Fascist.

"Wull, gee, mister ... we never ... I thought ... I mean ... we didn't know that ... gosh." the crewcut, beer-swilling, Forces of Oppression countered; and retired.

The concept of ordered liberty and everything implicit therein having been vindicated, the gentle scholar slowly and thoughtfully turned his steps back toward his office to continue his labors in his specialty practice of defending only clients who had been framed. But in his heart he knew it was only one small battle in the Never Ending Struggle against the Enforcement of the Laws.

Meanwhile the thief made good his escape, carrying away naught but all of Ecker's receipts, a pastrami on wheat, and Seabird's feelschedule.

And I went away with a lump in my throat and a little mistiness about the eyes, from my upwelling pride that the American Way has defenders of the inestimable caliber (or bore) of Bernard Seabird, Esq. — and it occurred to me that A.B.A. stands for 'American Burglars Association'.

Ed.



AALS

accredited school, such as Yale, you might well not be given any credit for work done here. That is, your JD. degree will not be academically accepted. The effect of this on future study or teaching opportunities can well be imagined. Fortunately, not all AALS schools hold this position. Furthermore, some employers look for AALS accreditation in hiring, those four little letters make you more saleable on the job market.

The AALS has 124 member schools and collects between one and four thousand dollars a year from each, with the assessment depending on the size of the student body. The purpose of the Association is the "improvement of the legal profession through legal education".

All this seems to make AALS accreditation worth having, but to get it a school has to meet a wide range of requirements covering student teacher ratio, number and type of books in the library, admission requirements for students, curriculum, number of classes a teacher can teach, the ratio of library seats to students, and more. The requirement covering teaching loads states:

"Law professors, regardless of their personal qualities, cannot function effectively either as pedagogues or as seekers for new understanding if too heavily burdened by instructional assignments . . . Freshness is replaced by routine repetition when classroom demands become too heavy."

The AALS then sets a limit of eight scheduled class hours per week, with repetitions of a class valued at one-half and an absolute limitation of ten classes per week. Part of the AALS appraisal is subjective, whether or not the school gives proper recognition to creative scholarship, for example, but for the most part standards are derived from a fixed set of ratios, student to teacher, etc.

When a school thinks that it can pass these requirements it applies to the AALS. The AALS then sends out a consultant who sees if the school does indeed meet the standards. If she thinks it does then a whole team of investigators comes out to look the place over. They then give a report that is usually accepted by the Association and on the strength of which accreditation is granted or denied. Golden Gate applied for admission this year and a consultant is due to arrive sometime later in this month. So if you see somebody checking around in the corners for dust for heaven's sake be nice.

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CRIM HEAVIES GATHER

of an earthquake. What an awful way to go, I mused: death caused by plastic icicle, striking and piercing skull.

But if I was only wounded? Trying to cover my bets, I looked for the King of Torts, Melvin Belli, supposed to speak soon. He didn't show. Just as well. His criminal experience, to my knowledge included the defense of Jack Ruby (deceased), Max Ward (serving life for the Dow Wilson murder), and a misdemeanor trial resulting in the conviction and jailing of such Berkeley notables as Jerry Rubin and Mario Savio, among others.

The consensus of the court watchers at that 1967 spectacle was that Belli did a lousy job, relying on charade and foppish dress rather than substance and preparation. Garry had first been approached to take the case, but was unable to and recommended Belli. After that, Garry gave up on recommending other lawyers.

Garry was still addressing the seminar. "A good question to ask a cop on cross examination is 'Where do you live?' A policeman will often give the address of the police station.

"Do you really live in the police station? Are you playing games with us?" The DA then objects, and you tell the court that the son of a bitch has already lied and perjured himself. Only I don't say 'son of a bitch' in court. I say 'SOB' which is a short way of saying it."

To my left three people sat down, a man and two women, each drinking a clear liquid from a shot glass with ice in it. When Garry finished the man walked up to the podium. He then began a lecture on the toxicology of alcohol.

Two psychologists spoke, Dr. Martin Blinder of Hastings, and Dr. Frank Barron, who'd helped the defense select the jury at the Herbert Mullin trial in Santa Cruz. Barron had attempted — through answers



to questions, behavior, and dress — to pick independent thinkers who would vote “not guilty by reason of insanity”.

The operation succeeded, but the patient died. Barron remained quite optimistic, although Mullin was convicted on all counts.

Blinder was more substantive. His key word was “meta-communication”. A meta-communication is what a person really means, as opposed to what he says. For example, “To the best of my recollection” means “this is all I feel like telling you”. “I’ll try my best” means “I don’t want to do it”. “Incidentally” or “by the way” prefaces the most important part of the conversation.

You’ve got to look into such things when choosing a jury. If your client can’t afford a psychologist to sit next to him during the trial, he’s going to get screwed, because DA’s are certainly looking into the matter, and psychologists, always out to expand their area of competence are pushing hard — but let’s have no nasty remarks about thought control.

Freudian slips are important, according to Blinder. He cited a previous seminar at the same place when one speaker appropriately but inadvertently deemed the premises the “Hitler Hotel”.

Prison rights lawyer Fay Stender later noted that when Blinder had apologized for stating some of the quite sexist considerations necessary to picking a jury, he tried to say “Unfortunately, women’s liberation has done little to change the realities of today’s world. Only “little” came out “Litter”.

Vincent Hallinan was a surprise and a welcome replacement for Belli. Hallinan never even bothers to pick a jury because he feels he can convince anybody, and most of the time he does. Hallinan is in semi-retirement now and it’s a rare privilege to see him at work. If he takes another case to trial, attend it. He is a master, and you will learn much.

Hallinan’s history as one of the finest lawyers ever to practice in this city includes many political defenses at times when they were extremely unpopular. During the McCarthy era he was jailed for contempt incurred while representing clients charged with pro-communist activities.

Hallinan spoke on the closing argument. Too often, he said, it is a tedious recital of the testimony, “as if the jurors had just come in off the street and you were telling them what they’d missed.”

Instead of boring them, pick out two or three main points that the jurors will remember. Use something physical to cement their attention, something they will remember in the jury room.

AALS

The faculty and administration people talked to seemed to feel that the School is going to make the grade. The biggest problem comes in meeting the requirements of Physical Plant-Library space. To pass we have to have seating accommodations, with generous table or desk space, available at any one time for 65% of the student body, in this case just the day division. Hence chairs and tables are being put in the basement, the East Reading Room, and in various closets. Desk space may be added to that seating already available in the bathrooms, if only for October. Furthermore all this extra library space is only for the law school and not for those people on the third or fourth floors. If you see an accounting or a business student sitting in the Law Library, throw the bum out. We don’t want anybody to get the wrong idea.



The dramatic gesture and flamboyant phrase, spurned by most lawyers today is a good device for attracting attention. “I remember a birthday party I attended for Charles Garry. There were several speakers, but I don’t remember any of them — except for Bobby Seale — and that’s because he opened his talk calling us all “motherfuckers”.

Newspaper articles illustrating similar cases are good to read to the jury and are allowed in closing argument (Peo. v. Woodson 231 CA 2d 487). “Xerox that case and give it to the judge before you start”.

Bible quotations are also good. When children are accusers, bring up the Salem witchcraft trial. For contrived cases tell a story: “I walked down a beautiful tree lined street, past lovely houses, and all was peaceful and quiet. Yet, it seemed too orderly, for there were no people around at all. I knocked on the doors of several of the houses but no one answered. I grew suspicious. Finally, I found an open door to a house. Behind it, instead of a family’s living room was nothing, only rafters. It was no house at all, only a false front, and I knew it was a movie set, one house was enough to tell me that.”

“I didn’t have to look behind every house, just as I don’t have to go into the testimony of every witness in this case to conclude it’s just as phony and contrived as that set was!”

Hallinan got the only standing ovation of the day.

BUSTED

by Peter Alcantara

For the last year, I had been dodging my parking tickets, furtively, I would look in my rear view mirror every time a Police Car would follow me — any day now I thought. But I was lucky for I was never stopped.

Finally, the traffic bureau contacted me by phone and warned me to pay up or be picked up! Being broke, I negotiated with cop so I would turn myself in at the Hall of Justice but only with the assurance that I wouldn't be placed in a cell with the drunks, drug addicts and other skunks.

"Oh yes," the cop replied, "we put you nice people in a separate section. Don't worry just come in before 11:30 p.m. and you'll get credit for two days". I agreed to turn myself in that night.

Eleven o'clock rolled around and reluctantly, I went down to the Hall of Justice, along the way, I try to calm myself by drinking a Heineken and smoking some Mexican import.

Upon arrival at the big house, I wearily climbed the steps; I was ordered to stop and empty my pockets; I complied — even the tin foil wrapping on gum wrappers triggers the metal detector alarms. No alarm; I passed the first hurdle.

I walked up to the desk and told the officer that I'm turning myself in on traffic warrants, he took my license and ordered me to sit down while he checked my license out with Sacramento. Two more people drifted in and the procedure was repeated.

Finally, around 12:45, we are escorted up to the sixth floor by two youngish cops who but for their uniforms would belong in the boy scouts. In the elevator, one of them turns and scolds us, "be-

ABA Pres

reiterated his theme of bringing new blood into bureaucracy with an announcement that he had appointed no past presidents of the bar to his committees, nor appointed anyone to more than one committee.

Though promising active leadership, Smith emphasized that he would look to local bar associations for input into ABA policies. "Those of you who bitch about the ABA," he said, "think what you did" to contribute to our organization.

He urged all attorneys to attend the ABA convention next year, saying he would be "out in the field" and not in the House of Delegates, which he called "the most boring exhibition of oratory in the world".

Smith was introduced by State Bar President Leonard S. Janofsky, who said Smith "typifies in the highest fashion the greatness and opportunity of America". Janofsky called him a "man dedicated to law, a man who has risen to the top, but who, like Sam Ervin, cherishes his beginnings."

tween the three of you, you owe the city \$1250 — I dared not protest that I only owed the city \$260!

We reached the sixth floor and were greeted by a gently deformed Quasimodo type. "Hi ugly", the youngish cop taunted. Quasimodo grunted a greeting in return.

"Step inside and walk up to the desk, empty your pockets and put your hands on the screen," we were ordered. Then the cops quickly frisked us. Behind the desk, three cops wearing blue jump suits sat ready to type up "booking cards".

"Name, age, occupation?" Foolishly I replied; "law student" instead of dog breeder — they might think that I was some kind of deviate. "Law student, eh? In here for the experience?" a big beefy cop growled. Stung, I was about to reply, "yea, I'm writing a report on this jail" but I subdued my usual impetuosity and was silent.

"All right, sign this form and then walk into the cell and take off all your clothes." Obediently, the three of us went into the cell and stripped down. Two cops searched our clothes as we removed them. "Open your mouth, run your hands thru your hair, lift your nuts," I thought that was unnecessary but I complied. "Bend over and spread your cheeks, lift your legs" — they were very thorough. We were then ordered to dress.

As they escorted us down the hall, I felt like it was the last mile, images of George Raft and Bogart flashed across the screen of my mind. As we passed thru the Felony section, a sweet whistle pierced the night.

Finally, we reached the misdemeanor section, a solitary cop emerged out of his glass cage; "take a blanket out of that gurney and follow me". We obeyed. Noisily, he opened a cell and slid back the heavy door. Apprehensively, we walked in. The cell was approximately thirty feet square and housed 26 prisoners. It had one shower, two wash basins, and two toilets without toilet seats — no soap, no paper.

Finally, I located an empty bed (a plastic mattress) and I climbed in. The cell was cold, and the night was punctuated with snoring, d.t.'s, the incessant sound of toilets belching as they were flushed and one greasy punk's endless raucous ramble of his unseemly and unlikely sexual exploits. Down the hall in another cell an incoherent drunk bellowed and babbled, until someone would finally clobber him. Then he would shut up, only to resume his hoarse monologue a little later.

Later the guard brought some vaseline to a prisoner with the genial comment, "There will be some ass jabbing tonight! Ho! Ho! Ho!" I prayed to God to get me through that night.

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