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CAVEAT

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Golden Gate University School of Law

November 28, 1977

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ACADEMIC STANDARDS REVISITED

GOLDEN GATE UNIVERSITY

by Ruth Ratzliff

In view of the pre-exam anxiety pervading the law school, this seems to be an especially appropriate time to remind all of you of the scope and function of the Committee on Academic Standards.

First year students might be re-assured by the knowledge that GGU's Academic Standards provide for a year of re-examination if you are less than successful your first year. Generally, this is how it works: If, at the end of the year (don't worry about it this semester), your GPA is below 2.0, you may re-take any course in which you received a C- or below; if your GPA is below 1.75 (NOTE: C- = 1.5) you MUST re-take courses with grades below C- in order to continue. Re-examination (or re-taking) means that the next year you can take the class again with a different professor if you so choose, sitting in on class sessions if there are seats available, and meeting all course requirements (mid-term and final exams, papers, etc.), without paying for the units a second time. The new (hopefully higher) grade replaces the old one on your transcript but is not used to compute class standing. If you choose to or must re-examine, you may take only as many new units as you completed successfully the first year, up to a maximum of six.

There are some added possibilities for night students. Generally, the above discussion applies at the end of your first or second years. For example, if at the end of your first year your GPA is between 1.75 and 2.0, you could continue with the regular second year night curriculum. Then at the end of your second year, if you are still below 2.0 (or, God forbid, have slipped below 1.75) you may (or, alternatively, must) re-examine.

At the end of the re-examination year, your cumulative GPA including new units must be 1.9, and your GPA in first year courses must be 1.75.

Second, third and fourth year students may also elect to re-examine in some cases, generally if a) your GPA is below 2.0, b) the grade is C- or below and c) you haven't completed your 84th unit.

Disclaimer: This is an oversimplified version of the Law School's Academic Standards, which are posted on the

Dean's bulletin board. DO NOT rely on this version; Associate Dean Sharon Golub is glad to answer questions about the standards, re-examination, or any other question you might have about the topic.

The policy behind this provision for re-examination is to give students a second chance at law school. Other schools have a policy of flunking out a percentage of each first year class on the theory that students who can't make it won't pass the bar anyway and aren't cut out to be lawyers. Golden Gate, in contrast, wants to give students who have difficulty with The System but who are sincerely interested in being lawyers (and we all recognize how little doing well within the system has to do with being effective advocates) a second chance to learn how to cope with the law school process.

The practical effect of this is to delay graduation by as much as a year or to compel extensive summer school attendance. Additionally, there are inevitable problems with financial aid in the re-examination year, because financial aid usually requires more units than the six units allowed re-examiners. In the past there have been administrative problems, with students not clear on what was required of them and the administration unaware of students' difficulties. These are gradually being corrected.

One example may help show how this actually works: In the class which started in Fall, 1975 (third year students this year), thirty people needed to re-examine in order to continue (i.e., had GPAs below 1.75). Twelve of these chose to drop out; eighteen re-examined, thirteen successfully, five unsuccessfully.

Another thing all of us may be re-assured by is that the Committee on Academic Standards does have power to act on student petitions. (In the past, the Associate Dean has exercised considerable discretionary power in this area, but this may be changing with the new Associate Dean.) Mark Derzon's article in the August 22, 1977 Caveat (available on reserve in the law library) gave some good examples of typical petitions. If you have a problem which reflects adversely on your grade (for example, you are ill and taking medication, your lover leaves you the day before the exam, your typewriter falls apart during the exam and you don't have a pen), document that problem when it occurs (see a doctor,

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Exam Time Blues

by David Cooper

"They were put through several physical ordeals; the severest one was to lie motionless while being bitten repeatedly by hordes of angry ants. As ordeal passed to new ordeal throughout the ceremony, the candidate received long lectures on proper conduct, on how to become a man of value, and on the religious practices of his band."

Peter Farb describing the initiation ritual of the Luiseño Indians of California in Man's (sic) Rise to Civilization

So now you're really into it. Test time blues. For advanced students it's not really any easier. Not only is it still difficult but it's now old as well. Those of

you stuck doing this for the first time, your problem is analogous to the dilemma of those with constipation in the pre-Ex Lax days: is 6 hours of study a day not enough; is 12 too many?

This exam stuff can be handled in many different ways. Some balancing goes on between study alone and study with others. Since our nervous systems are built differently and our methods of absorption unique, we ultimately find ourselves retreating to solitude. I also end up studying with a friend. Moral support is as important as cognitive support. Sometimes the friend is me, and there I am pacing the room, explaining to the mirror and bookshelf (very good listeners) about the fiduciary duties of corporate officers, the intricacies of Res Ipsa Loquitur, and of the exception to consideration as exemplified by (our old friend) Detrimental Reliance. While procrastinating

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Letters

AN OPEN LETTER TO DAVID RUBINOFF

As students and as SBA representatives, we feel that student representatives, especially those who serve as voting members of the FSC body, must be accountable to their constituency. Therefore, we request a public explanation regarding your "no" vote (the only "no" vote) at the FSC meeting held on November 17, 1977, with respect to the following resolution:

"to adopt as a primary hiring goal the need to diversify our faculty profile to more closely reflect the pluralistic character of our city, state, or nation."

We are particularly concerned about your vote, since you are a member of the Admissions Committee. Both the Admissions and Hiring Committees at this point in time must be highly sensitive to the issue of affirmative action. We view your vote, which presumptively indicates your general opposition to affirmative action, with much disdain.

Your voting posture becomes even more questionable in light of a report you gave at a recent SBA meeting about the Admissions Committee. We quote from the October 31 Caveat:

"David Rubinoff reported that the Admissions Committee does have an AA program. The guidelines are open and flexible and the Bakke decision has had no effect on Golden Gate's admission procedure. Admissions Committee meetings are open to anyone and student input is wanted."

Your report gave the impression that affirmative action is "alive and well" at GGU and that you, as a student representative on the Admissions Committee, supported an affirmative action policy. Although we find it somewhat difficult to believe that affirmative action is indeed "alive and well" at GGU, the purpose of this letter is not to quarrel with your perceptions of the political realities at Golden Gate. It is the inconsistency of your actions as an FSC and Admissions Committee representative which we find particularly troubling, and must question.

Therefore, we request a public explanation of your "no" vote at the FSC meeting and your position, as a student representative, regarding affirmative action.

Sincerely,

Cindy Duncan
Mary Gerber

(ACADEMIC STANDARDS, from page 1)

Speak to the exam proctor or the professor or the Associate Dean), and file a petition detailing the problem with the Associate Dean who will refer it to the Committee. If you want help drafting your petition or want to discuss the possibility of filing one, speak to Dean Golub or contact one of the student members of the Committee (Bill Benjamin, Martin Staubus, or myself) by calling us or leaving a message on the student bulletin board. This is the official approach.

At the risk of incurring the wrath of the faculty, I would also like to point out an unofficial approach which is seldom discussed and, in my opinion, has been applied unevenly in the past. Some faculty members are willing to exercise discretion with respect to individual students in the areas of exam scheduling and grading. For example, exams are given early or late to students who have gone to their professors with valid excuses. Some teachers have been persuaded to re-read an exam (and adjust the grade upward) in light of the individual student's extenuating circumstances. The extent to which these unofficial remedies are available varies greatly within the faculty, of course.

Hopefully this information will be helpful in alleviating feelings of panic and helplessness which all law students experience at this point every semester.

RUBINOFF RESPONDS

I thank Cindy and Mary for their concern about my FSC vote against Tony Pagano's resolution on hiring at the November 17 meeting. My only reason for voting "nay" was that the resolution was ambiguous in both wording and possibly meaning, as mentioned in the Caveat FSC article of November 21. I am, of course, very concerned about maintaining affirmative action both in admissions and hiring policies. My personal statement to the Admissions Committee interviewers indicated the same. I have held student meetings on admissions and affirmative action, have consistently attended all SBA meetings, and have personally contacted Third-World Coalition persons and Women's Association members for their suggestions. I have consistently spoken for affirmative action at admissions Committee meetings.

My vote, therefore, was based solely upon my fears that this single resolution was specious and only reiterated the strongly felt affirmative action policies of the Hiring Committee. I am sorry that Cindy and Mary were not present at either the FSC meeting or at the recent students' Admissions Committee meeting and were thus unable to discuss their complaints with me concerning my attitudes on affirmative action. However, I welcome this opportunity to again state that I am in accord with my student body constituents in their concerns with affirmative action and that my vote was an expression of this concern over a possibly misconstrued resolution.

Sincerely,

David "Chuck" Rubinoff

WILLS AND TRUSTS THIS SUMMER?

Dear Editor:

Would anyone else besides me like to take Wills & Trusts next spring or summer at Golden Gate? Isn't it a shame that certain bar courses (i.e., Wills & Trusts, Equity and Contract Remedies, et.al.) are only offered once a year?

I asked Tony Pagano about the possibility of Wills & Trust being offered this spring 1978 semester. He said that there are no plans to offer it this spring or even summer 1978. Tony also said that if there was enough student support, someone might be able to teach Wills & Trusts this summer.

Thus, I am writing you and the Caveat to see if there are other voices crying in the wilderness who are lamenting the unavailability of Wills & Trusts this summer or spring 1978. One need only look at the standing room only classes of Wills and Trusts this fall semester to deduce that perhaps there should be additional times for offering that course. Surely there would be enough money to finance a Wills & Trust course this summer or spring since each student in that course would pay \$94 a unit (total \$356 per student).

Therefore, I suggest the following:

- 1) Wills & Trusts be offered this summer 1978 semester. That would be an ideal time for such a substantive course. Cf. with Corporations so offered.
- 2) In the alternative, Wills & Trusts be offered in the spring 1978 semester.
- 3) Other bar courses, such as Equity and Contract Remedies, which are only offered once a year, be offered more frequently -- such as in both fall and spring semesters, or in the fall or spring but with additional classes in that subject matter in the summer.

The obvious benefits if any of these suggestions are adopted at Golden Gate would be that:

- a) Law students here could graduate faster by taking

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announcements

SPRING REGISTRATION DATES

For the dates listed below, registration will be from 10:00 a.m. to 6:45 p.m. Letters refer to last initial.

First year students:

A to L: January 9, 1978
M to Z: January 10, 1978

Advanced students:

A to G: January 11, 1978
H to O: January 12, 1978
P to Z: January 13, 1978

A late registration fee of \$10 will be charged beginning January 16, 1978. Last day to register for Spring is January 27. Only Clinic, Selected Legal Problems, and Law Review may be added after the 27th except where Dean grants special permission.

NIHONMACHI EVICTIONS RALLY

For the past year the San Francisco Redevelopment Agency has been trying to evict tenants from two low-rent apartment buildings in order to continue efforts to turn Japantown into a tourist and trade center. This kind of attack on third-world communities is familiar to supporters of the I-Hotel struggle. On Sat. Dec. 3 there will be a march and rally to support the tenants sponsored by the Coalition to Support Nihonmachi Tenants. The march will go from one of the buildings at 1531 Sutter Street (corner of Octavia) to the Western Addition office of the Redevelopment Agency. Meet at Sutter St. at 11 a.m.

LABOR LAW RESEARCH TRAINING SESSION

This is sponsored by the NLG Labor Committee. It will be on Thursday, December 8 at 7:30 p.m. at the New College of Law, 1254 Market Street. To pre-register call Susan Scott at 661-9087

FIRST YEAR WOMEN

GGU graduate Phyllis Beasley will be here at 3:00 on Tuesday, Nov. 29 (Room 203) to review Torts with us and to talk about exam writing techniques.

STUDENT HEALTH INSURANCE

Student Health Insurance may be purchased for the Spring semester. Brochures are in the rack outside the Deans' Office.

PLACEMENT

Alaska continued:

Elaine Andrews, class of 76, former staff attorney with the Judicial Council and soon to be as Assistant Public Defender in Anchorage, will speak on Wednesday, November 30, noon to 1:00 room 203. Elaine will discuss --
what it's like to live in Alaska;
information on cities and possible jobs;
how the courts and state agencies work;
how private firms hire, etc..
If you are thinking about Summer or post-graduate employment, or are simply interested in learning more about the state, Elaine can provide insight and answer questions.

BAY AREA WOMEN'S JAIL PROJECT

Meeting Wed. Jan. 11, 1978 at 4:30. Watch for room assignment. Meeting for anyone interested as well as old members.

CORRECTION

Joanne Schulman informs us of two mistakes in Mark Derson's article on the last SBA meeting. Concerning the Hiring Committee it was reported that the application resumes were open to student scrutiny. In fact, they are not. Only faculty and student FSC reps can see them. The article also said that students would be able to meet with the teaching applicants and hear a sample lecture. In fact, this is only a tentative proposal and no action has been taken to implement it. The source of the error was misinformation and misinterpretation between Mark and Joanne.

CLASSIFIED

B.A.R. SEEKS FIRST YEAR STUDENTS

First year students interested in working for B.A.R. as first year rep. please call either the B.A.R. office at 861-6820 or Patsy Turner at 652-2890.

Deadline for sending in application is December 16.

RIDER NEEDS RIDE

Going to Spokane, Washington over Christmas break? I need a ride. Can pay gas. Call Diane Ritchie GGU Law Student at 982-7642 after 7:00 pm.

AN INVITATION TO JOIN THE LEGAL SERVICES SECTION OF THE STATE BAR OF CALIFORNIA

by Kathy Reilly

The Legal Services Section of the State Bar of California has amended its bylaws to allow non-lawyers to become associate members. Eligible non-lawyers include law students, paralegals and legal secretaries.

Although associate members may not vote on Section matters or serve on the Executive Committee, they may participate fully in all other activities, including standing committees.

The Legal Services Section of the State Bar is concerned with providing access to legal services for all citizens.

Standing committees often work on drafting or suggesting legislation for California. These committees include:

- lawyer referral services
- legal services for the poor
- public interest law
- legal clinics
- consumer advocacy
- Newsletter
- legislation
- legal problems of aging
- group & prepaid legal services
- legal services for criminal defendants
- legal services for prison inmates
- legal services for persons with special needs
- military legal assistance
- public education about legal services
- delivery of legal services to middle income people

Those interested in joining the Legal Services Section should send \$10 (payable to the State Bar of California) to: Office of Fiscal Affairs
The State Bar of California
601 McAllister Street
San Francisco, CA 94102

You should indicate which of the above standing committees interest you.

SBA Business

The Caveat could not cover last week's SBA meeting before press time. We will report on it in January's first edition. The next SBA meeting will be the second week in January.

Also last week's Caveat reported that Dean Judy had turned down an SBA request that the school fund a trip by SBA Vice President Mike Rosas to Washington, D.C. for a weekend Bakke conference. After the article was written Dean Judy changed her mind and Mike did go with the school's blessings (of cash).

Mike's Report

During the weekend of November 19 and 20, I had the opportunity to represent Golden Gate at the National Conference on the Bakke Decision at Howard University in Washington D.C.

Over a hundred schools and organizations were represented and there were speakers and workshops during the two days. On Sunday, resolutions were passed, including one that I introduced. It concerned an affirmative commitment on the part of all the national organizations represented to give more economic

(EXAM BLUES, from page 1)

During these hours of solitude, I have pondered why we go through this stuff. The following are some of my reflections.

Societies create different kinds of initiation rituals. The priests (or whoever) give the people reasons for the ritual such as that it is the request of the gods. Although the priests might sincerely believe the reasons they offer, there is always an alternative purpose behind the ritual. Usually it is to ensure the maintenance of the status quo.

It is in this light that I approach the great ritual of law school final examinations. Many people have challenged whether these exams actually test any abilities necessary for practice. All of us have had our complaints about the narrow perspective that law and lawyers bring with them in their dealing with interpersonal and societal problems. I maintain that while this narrowness is to be found in the content of the law school curricula, it is reinforced in us through the process of our exams. After studying and worrying for God knows how many hours for midterms, finals and bar exam(s), it becomes difficult for us to admit to ourselves that this process might not be worthwhile in training us for our craft. And if we come to believe that it has been worthwhile, that this kind of trauma is necessary, then it only takes a short step from there to come to believe that law is an esoteric doctrine which only the properly initiated can fathom. This results in lawyers justifying their higher wages and their rude behavior to their lay-helpers. For me then, the challenge of law finals is to absorb whatever general information I need to pass the exams without being sucked into believing that this experience has much value in teaching me my craft. Understand that I do believe that it is necessary to have a background in the parameters of the law in order to be able to practice, but is it really necessary to require that people blow ten weeks of their year and that they disrupt their relationships with family, friends and work in order to instill in them an ability to make a legal argument?

So much for my bitching about the insidious nature of the exams. This whole process has its funny side too. It's got to. For the past year I've been getting friends to share with me their tales of our erratic exam time behavior. Some people swear by different methods and drugs. I'm a big taker of vitamin B complex pills -- supposedly good for stress. Didn't seem to work though. But Kathy Reilly insists that you need to take Dolomite to get the B absorbed. I also have terrible gas problems with finals and have participated in heated debate as to the correct cure. I favor Mylanta but everybody else seems hooked on Maalox. (I also worry that the antacid/anti-flatulent is keeping my body from absorbing the B complex.) There

support to the University of New Mexico's Student Referral Service, which informs minority law school applicants all around the country of law schools that seek more minority applicants.

A lot of substantive information came out of the conference. It covered the history of Affirmative Action in this country, the significance of Bakke surfacing at this time, alternative programs if Bakke is affirmed and the repercussions of such a result.

I established several contacts from whom I received commitments to come and speak at our school in January. The most notable was Nelson Ruiz, Special Assistant to Vice President Mondale. Mr. Ruiz will be coming to San Francisco in January and I will try and arrange for the SBA to hold an open forum in conjunction with the availability of Mr. Ruiz and other speakers.

I will be trying to get speakers from both sides of the Bakke issue for that forum and my report on the Conference, available to the student body shortly after we return from vacation, will include information that students should read if they are interested in participating in the forum.

is a new theory that the vitamin B causes the gas in the first place. So what can you do?

Other favored drugs include alcohol and dope. Mary Jo Schafer told me that she studied for her last final exam last year under the influence of beer. She ascribes her lack of notable achievement on that exam to the fact that she neglected to take the exam in the same state of mind that she studied.

Then around exam time I see big changes in people's hair style. I saw at least three beards shorn in my class the last two weeks of class. Two women with very long hair went short and sassy. Why do we do this? Is it that while not feeling quite like ourselves we adjust our appearance accordingly? On the other hand beards do get itchy after four hours of adverse possession.

Then there's the big sex and food debate. Do people indulge more or less? Authorities are split on this.

Pimples seem to be a big complaint. No age group seems immune. The joggers maintain it's from bad circulation.

Worst ailment of all is procrastination. Actually, some people see this as a cure for the other ailments, although it has some obvious negative side effects. Methods of procrastination are most interesting. My favorite is to bake bread. I get to do something for an hour and then get to continue doing it intermittently for the next few hours. But what to do with all that bread? Mike Ryan's time wasting method takes care of this. He feeds the birds outside his house. This might seem like a brief dawdle, but Mike first has to chase away all the neighborhood cats - with a sling shot. Other favored methods include movie-going, eating, fasting, calling dial-a-prayer and time, reading sci-fi, day dreaming, and looking into the refrigerator without taking anything out of it. Most popular is cleaning your room. ("How can I study in a mess like this?") But so far, my favorite procrastination this year has been writing this article.

(WILLS & TRUSTS LETTER, cont.)

bar courses to fit an accelerated schedule (since Wills & Trusts, et. al. would be offered more frequently).

b) Offering more bar courses frequently would allow law students to design their schedules accordingly and allow them to take courses that they might not otherwise be able to take but for the conflicts in classes offered.

Mike, and the Caveat, please respond.

Don Lau