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## Caveat, April 9, 1979

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# CAVEAT

GOLDEN GATE UNIVERSITY SCHOOL OF LAW

Vol. XIV, No. 27

April 9, 1979

## ELECTIONS

## CHILD CARE UPDATE

### SBA ELECTION RESULTS:

President- 412 votes	
Daniel Hernandez	171*
Willa Chapman	74*
Michael Pitts	65
Frances Lish	57
Mark Liss	36
Edwin Joe	4
write-ins	5
Day Vice President - 289 votes	
Walter Riley	121*
Mark Nissenbaum	87*
Richard Hechler	76
write-ins	5
Night Vice President- 38 votes	
Michael Grimes	7*
Steven Runchey	4*
William Spitzig	3
write-ins	24
Treasurer- 284 votes	
Robert Saenz	155***
Alan Scholz	118
write-ins	11
Secretary- 257 votes	
Julie Pearlman	217***
write-ins	40
2nd year day rep- 160 ballots	
Mary Thuerwachter	90***
Moss Jacobs	86***
Mark Katzman	36
Steve Lau	23
2nd year night rep- 11 ballots	
Michael Grimes	6***
Karl Brandes	2*
Mary Selvey	1*
Steven Runchey	1*
Colleen Hoy	1*
Dorothy Dana	1*
3rd year day rep- 77 ballots	
Phillip Bacharach	32*
Robert Haden	27*
Wendy Young	23*
write-ins	28
3rd year night rep	
Cheryl Isele	23***
Chuck Crane	21***
write-ins	1
4th year night rep	
Diana Taylor	***
Anne Hipshman	***
ABA/LSD	
Charlie Burns	137***
Judy Middlesworth	129***
write-ins	24

\* run-off candidate

\*\*\* winner

Run-off elections are scheduled to take place Monday through Wednesday this week. Voting will take place on the 3rd floor during the day and the 2nd floor in the evening. Poll hours are 9 a.m.-10:45 a.m., noon-1:30 p.m., 2:45-3:15 p.m., 6-6:45 p.m., 8-8:30 p.m. Frances Lish has contested the Presidential election and it is unknown at this time what the result of that will be.

See page 3 for presidential candidates' statements. Students wishing to see other candidates' statements may peruse them in the CAVEAT office.

Following a fortnight of rumored catastrophe, the Child Care Committee met in extraordinary day and evening sessions last Tuesday, April 3, and laid the groundwork for the implementation phase of the more than three years of planning that has gone into the development of the Holly Baumann Memorial Child Care Center. City inspectors have granted the building permit necessary for the construction of the facility following the University's agreement to significant modifications in its original plan. With this accomplished, Child Care Coordinator Susan Jones intends meeting with the California Department of Social Services sometime in the next two to three weeks to begin the process of securing the required state license for use. Actual construction is tentatively scheduled to begin on June 1, in time for the facility to be ready for use on the first day of classes for the fall semester.

At the day session, attended by more than forty members of the law school community, the Child Care Committee outlined the three major areas yet of concern: **Staffing** - with the number and category of positions determined, a solicitation and selection process must be completed by the end of July. **Funding** - current estimates of the cost of full-time use are \$280/mo., some mechanism to aid low-income students is thought to be necessary. Additionally, start-up fees of approximately \$8,000 are projected and some seed money will be necessary to get the program off the ground. **Admissions** - it is expected that demand will exceed the 28 slots available in the Center. Hard decisions must be made as to underlying policies in this area, e.g. availability to next year's first year students, minority admissions, and student/staff/faculty priorities.

The Child Care Committee stated its desire to involve all of the University Community in this decision making process. To this end a Liason Committee was organized and members were selected representing the organizations in attendance. They are: Mary Thuerwachter-NLG, Michael Pitts-PAD, Robert Saenz-TWC, Alice Montgomery-SBA, and Ginny Palmer-WA. Additional representatives from other University organizations are being solicited as well. The Liason Committee will meet with the Child Care Committee on Fridays at 12:15 in room 203. Any interested members of the University community are encouraged to attend.

### ROCK CONCERT!

Saturday April 14th  
7:30 p.m.  
second floor

TELEPORT  
a progressive rock band

tickets	no host
\$2.00	wine bar

tickets on sale through Cashier's Office, Child Care Committee, National Lawyers Guild, PAD, SBA, Third World Coalition, and Women's Association.  
All Proceeds to Child Care Center

# Action Alert

On March 22nd, the Ad Hoc Student Building Committee met with University President Butz, V.P. Teitscheid, Dean McKelvey, Asst. Dean Holmes, Prof. Bernhardt, and law librarian Carter in an attempt to resolve various issues concerning both the new and the old buildings.

The agenda focused on: 1. making auditoriums A, B, and C usable as law classrooms; 2. correcting deficiencies in the fifth floor auditorium in the old building; 3. correcting problems with the new library; and 4. various miscellaneous building problems not related to specific areas.

Teitscheid quickly emerged as the principal spokesperson for the administration. Butz gave him frequent backing as he attempted to deal with issues raised by the other participants, but allowed Teitscheid to deal with the specifics of issues.

Regarding the new auditorium, Teitscheid asserted that the lighting problem was in the process of being solved. A consulting engineer had examined the lighting and had discovered that the fixtures were incorrectly manufactured and that wrong bulbs had been fitted in the fixtures. Teitscheid stated that the bulbs would be replaced in the coming week, and the fixtures would be repaired by the manufacturer. Track lighting will be installed along the walls of the auditorium. The combination of track lighting and new bulbs should increase available light by four times and end the shadow problem. Teitscheid said that if this did not solve the problem, they would keep trying. Butz specifically endorsed this promise.

Teitscheid promised left-handed tablets for aisle seats in the auditoria for next fall. However, he asserted that nothing else could be done about the seating problem. He cited such constraints as fire code provisions, the cost factor, the basic design of the auditoria, and the requirement that the auditoria must remain suitable for multiple uses.

Teitscheid is examining the idea of placing microphones hooked into the sound system in the seating area for student use. The cost and engineering feasibility of this idea have not yet been fully explored. The problem of noise carrying from one auditorium to the next has been solved by placing foam seals along the edges of the folding partitions and the doors through the columns between auditoria.

Regarding the law library, Teitscheid rejected as too expensive the idea of double-paned glass in the windows along the plaza to reduce noise from the projected child care center and the street above. (At the end of the meeting, when questioned about the child care center, he stated that there were some problems with meeting the City's code requirements, but that he expected to be able to work them out.) The installation of a second set of doors between the elevators and the library entrance to act as a "sound lock" was rejected for lack of funds. The use of wall hangings and carpet in the elevator area to deaden sound was accepted.

Lighting, ventilation, typing carrels, and study carrels were also discussed. The lighting in the library will be reviewed after the business library has moved into its quarters and the law library is in its final configuration. Ventilation is subject to active trouble shooting, and will be fixed as the problems are located. The new typing carrels appear usable for typing without causing noise problems if sound deadening measures are taken. New study carrels may be ordered, but no money is available for unbudgeted purchases of additional carrels at this time.

Regarding miscellaneous: security measures in the building, signs to control and direct traffic flow to maximize use of stairways, the moot court room, the new student lounge on the sixth floor, student lockers, bulletin boards, and clocks in the classrooms were discussed. A comprehensive

# ANNOUNCEMENTS

ANNUAL WOMEN IN LAW CONFERENCE: Anyone interested in hearing information and asking questions about the Women in Law Conference in San Antonio? Anyone interested in hosting the 11th Annual Women in Law Conference at Golden Gate next year? Please come to a meeting in room 320 on April 10, Tuesday, at 12:00 noon. Only if enough students show interest and support will Golden Gate be considered as a possible site. If you cannot attend the meeting, please contact Marge Holmes before 7:00 Wednesday.

LAW SCHOOL BEER & WINE PARTY DATE CHANGE: the PAD/A.B.A.-LSD sponsored beer and wine party will be held on April 20th, Friday at 3:00. Mark your calendar.

TENTH NATIONAL WOMEN AND THE LAW CONFERENCE SOURCE BOOK: now on reserve. This book contains outlines and bibliographies for all workshops presented. Workshop were given in a variety of subjects such as Health, Employment, Lesbian Law Section, Education, Affirmative Action. This is a good resource for cases, etc., in these areas.

WOMEN'S ASSOCIATION MEETING: Tuesday, April 10, 3:00 p.m. Room 316. This will be our last meeting of this year. I urge all women to attend especially 1st year women.

FINANCIAL AID INFORMATION SEMINAR: Paul Jain, Director of Financial Aid will answer your questions about filling out the financial aid forms for Summer, 1979 and for the academic year 1979-80 on April 11, 1979 at Noon in Room 414 and at 6:00 p.m. in Room 508.

## Application Deadline dates are:

Summer 1979	April 19, 1979
Academic year 1979-80 (Fall '79 - Spring '80)	May 4, 1979

FILM SHOWING: Namibia: A People Armed Monday April 9th at 12:00 in Auditorium B. Documentary on the struggle led by SWAPO for freedom in this Southern African Country Sponsored by: SASC (Southern Africa Solidarity Committee).

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security program is being prepared. Teitscheid resisted a suggestion that windows be installed in classroom doors, since no money is available. It was also suggested that work-study students be employed to patrol the building. Closed circuit TV cameras are provided for in the plans for the new building, but there is no money to buy them. Signs are being made. The moot court will have left handed tablets. The student lounge will be re-examined after it is opened to insure the design meets student needs. There is room for more student lockers, but no money in the budget to buy them. More bulletin boards will be provided. Clocks will be placed in the classrooms.

Teitscheid's approach to solving the problems with the buildings appeared to be constructive. He asserted his determination to see the problems corrected. However, he repeatedly emphasized that there was no money available in the building budget at this time.

The Student Committee will be meeting with the Administration every other week to discuss progress in solving building problems and to raise new issues as they arise. Comments, ideas, and above all participation by interested students are invited.

The Ad Hoc Student Committee  
on Building Problems  
Marilyn J. Endriss  
Judy Bloomberg  
Michael R. Hathaway  
Robert Nichols

# SBA CANDIDATES STATEMENTS

STATEMENT: WILLA CHAPMAN  
Candidate: SBA President

It seems to be consensus that first year students simply don't win SBA presidential elections. I am a first year student who doesn't agree with the consensus. During the campaign, in the Caveat, the candidates' forum and my campaign literature, I have made my basic concerns about SBA, child care, financial aid, minority recruitment, evaluation procedures, etc. known. The purpose of this statement is to let my colleagues know a bit more about me.

I have been involved in California politics for 15 years. My experience in politics has always been in the area of the redefinition and redistribution of power - and that has been the theme of my campaign. In the early '60s, I was a community organizer for the fair housing initiative in Los Angeles. In the mid-60's, in Berkeley, I was involved in the free speech struggle on the Cal campus; did fundraising for CORE's program of field workers in the south; and was active as an organizer and demonstrator throughout the anti-war movement in Berkeley. I have been involved in Berkeley/Bay Area 'politics' and women's groups for the last 10 years. I was instrumental in helping to structure and give format to the new ombudsman position in the City of Berkeley in 1972.

In the course of my political activities I have worked with in and against political machines. I am aware of and wary of, the co-option which we are told is inevitable in the 'political' process. It is not inevitable.

Women and other "minorities" in politics is to me the essence of the redistribution of power. I would like to see the power redistributed at GGU.

Willia J. Chapman

STATEMENT: MARK NISSENBAUM  
Candidate: Vice-President

I am a first-year student who served as SBA Rep for section A. I see the vice-president's role as sharing some of the time-consuming responsibilities of the president and freeing the SBA President to spend more time working as a student advocate. I feel comfortable that I could work effectively with anyone chosen as SBA President.

As a SBA Rep, I worked on the subcommittee that changed the budget procedure and I am presently on the committee that is working towards changing the student committee selection procedures. My work on both has shown me that I function well in that capacity.

I believe that the biggest problem facing us next year is the lack of communication between the administration and the student body. This was evidenced by all the problems we encountered during our move into the new building. It is this problem that I feel the SBA is best suited to deal with. The SBA should take an active role in seeing that the students are informed of what the administration is planning, well in advance, of any decision, so that students can voice their opinion. If elected, I pledge to work towards opening the line of communication between students and administration and to develop a forum where student's voices will be heard and listened to.

Another area where I see that the SBA could be a useful source is the building of a community feeling within the school. I have noticed that SBA-sponsored social activities are well-attended and this would be a good place to start. I believe the SBA should sponsor more of these affairs. These events are especially helpful for first-year students to meet second and third year students. These affairs could also serve to raise money that could be returned to needy students.

Mark Nissenbaum

STATEMENT: DANIEL HERNANDEZ, WALTER RILEY  
Candidate: SBA President, Vice-President

We wish to thank all of the people who voted for us. We especially thank the people who worked and organized the campaign. This campaign has been an example of the kind of unity and cooperation we have been a part of all our lives.

Our years of experience in grass roots organizing in the urban and rural community has instilled in us a firm commitment towards group participation in the decision-making process.

We would like to briefly reintroduce ourselves for your benefit:

DANIEL HERNANDEZ

Prior to attending law school I worked with various community groups. Since its formation I worked with the United Farm Workers Union in California as an organizer in farmworker elections as well as the various boycotts and political campaigns. My commitment to the farm workers struggle stems from the fact that I came from a migrant farmworker family. My involvement has also included working on community schoolboard elections, youth groups, and extensive fund raising for community groups.

At Golden Gate I currently serve on the Academic Standards Committee and have strongly advocated for students who have petitioned for hearings concerning their grades. I am also at present a member of the Faculty Student Council representing the student perspective in all policy matters affecting us and the school. I have just completed my term as second year representative on the SBA and have recently been appointed as a member of the San Francisco Bar Association Community Service Committee, and am an active member in the Third World Coalition.

WALTER RILEY

At the age of twelve I became involved in the civil rights movement in my home town of Durham, North Carolina. From that time when I recognized racial and economic oppression, I have been committed to political activism. At various times I was an elected officer and paid staff worker in civil rights organizations. In the early sixties I was a field secretary for the Congress of Racial Equality. I have worked in community organizations around housing and welfare rights issues. I have been active in rank and file trade union groups and as an organizer for United Auto Workers in Detroit.

LOOKING AHEAD

As leaders in the SBA we shall organize and implement the various activities and programs that are the interest of all students. The problems are well documented. We have opposed tuition increases to no avail and we can expect to deal with another proposed tuition hike next year. Starting now a concentrated effort is required to attack this problem. For years people have struggled for affirmative action and still the minority population is too small. For more than five years people have worked for child care yet we are not assured of its existence this fall. We expect to rely on our experience, your support, and our ties in the community to make these changes a reality.

We feel the support evidenced in the campaign and feelings expressed to us by the students mandate this aggressive posture. Our experience has prepared us for this kind of leadership.

Your continued support will further the development of an activist S.B.A.

DANIEL HERNANDEZ  
CANDIDATE FOR S.B.A. PRESIDENT

WALTER RILEY  
CANDIDATE FOR S.B.A. VICE-PRESIDENT



# Letters

Dear Caveat:

Selvy says see ya!

I have enjoyed working in the law school and particularly working in the faculty center. My resignation is not a reflection of my past staff's mass resignation. I am leaving solely to work part-time in a law library. Thank you everyone for your support.

Mary Selvy

To the Caveat:

I would like to express my extreme dismay about the manner in which the Law Review writing contest was administered this year. From beginning to end, the contest was poorly planned and the effect of this is to provide a Law Review staff for next year that was chosen on the basis of luck and whim, rather than by skill.

First of all, the unfortunate choice of topic for the first time eligibles got the contest off on the wrong foot. From the moment the Marvin case was distributed, students were protesting this choice on the grounds that the staff would be unable to detect cheating and outside research, because of the amount of commentary already published about the case. Law Review staff members at two other schools (Boalt and USF) were amazed that GGU had chosen the Marvin case as a subject.

When I first approached Lynn Rossman about this, she admitted that the staff would be unable to distinguish cheaters from non-cheaters, but defended the contest. She was unwilling to listen to criticism about the contest, and practically threw me out of the Law Review office. Later, the rules were changed, but this did little to counteract the negative effect that the contest had upon students, especially newcomers.

After the results were posted, I was again shocked to find that, unlike last year, students would be unable to find out how their contest papers ranked among those submitted. Rossman was also unwilling to discuss this - She became rude and abusive, and said that it was "already decided". She also stated, incorrectly, that students were told beforehand that evaluations would not be available.

Another Law Review staff member in the office at the time laughed and said, "We're the editors. We don't have to talk to students." I was particularly interested in the results in order to see how the staff distinguished among the 1st-year papers that did or did not do research.

I believe that the papers were not fairly graded, and that anonymity was not preserved. Rossman was unwilling to discuss this also. Her extreme lack of sensitivity leads me to believe that the entire writing competition should be investigated by the Caveat and S.B.A., and held all over again, if necessary.

Since Rossman has not shown the minimal competence and sensitivity necessary in running the writing competition, I have serious doubts about her ability to successfully manage next year's Law Review.

Michael Berch  
1st year-day

In response to the above inquiry, the CAVEAT has conducted an impromptu investigation of the facts of the case. Several observations may be fairly made.

First, the writing competition is a subjective process: Like the processes which admitted you to law school, which will determine your grades and probably, your job upon graduation. Admittedly, too much subjectiveness is bad. The Writing Competition was conducted so as to minimize the amount of subjective judgments as much as possible. Three members of the Law Review read each paper and

graded according to five clearly defined categories. A model answer was provided, and each grader read the required materials. In cases where a wide disparity in the grading was present, a fourth member of Law Review read the paper. All grades and comments by each reader were kept confidential with respect to the other readers. Much time and effort went into the grading process. The result was probably less subjective than is alleged in Mr. Berch's statement.

Second, as to the case selected for this year's Writing Competition, there are arguments pro and con (irregardless of what members of other Law Reviews might say). On one extreme is: a case which is totally arcane and falling outside the areas of the law first year students have been exposed. The problem with such a case is that first year students would be in over their head writing on such a topic. Analysis of such a case would be extremely difficult, and therefore the student's ability to write is emphasized less. The other extreme is the familiar case dealing with issues familiar to first year students. It was felt that such a case would motivate student interest and thus, participation in the Writing Contest; would provide a better opportunity for the student to analyze the case and to display his or her ability to write. Such were the considerations which led to the selection of the Marvin case.

Third, the allegation that anonymity was not observed is plainly incorrect. All papers were graded with no more identification than the exam number appearing on the paper. Further, staff graders did not see other staff graders' comments or scores on any of the papers.

Last, it is argued that the Editor-in-chief is insensitive. It would appear that Mr. Berch is not in the position to make such a statement. Apparently, at the time when the cases were given out, Mr. Berch made the statement to the Law Review staff that he would do outside research regardless of their decision on this matter. His prior contacts with the Law Review staff was less than courteous on his part. Ms. Rossman has put in much time, as have all the members of the Law Review staff. Whatever its shortcomings, the writing competition is final. It is an effort to allow students who otherwise might not be able to be on Law Review to be on Law Review.

Edward Garson  
Editor of the Caveat  
Member of Law Review

Dear Caveat:

I agree that until the student of law begins to grasp the total picture, his/her introductory instruction must be meted out in small doses that relate to something he/she already understands, or is at least currently studying.

For those professors who might read the Caveat, I would like to inform you that first year night students are enrolled in Civil Procedure, Torts, Contracts, and Writing and Research.

I hope that this will alleviate the problem which surfaced in Rosenak's contracts class on the night of Wed. April 4.

With two classes remaining in the academic year (at a cost of \$2240.00), he was heard to exclaim: "OH, I didn't realize you were taking Civil Procedure at this time!"

I wonder how much more sense the study of contracts would have made, had it been taught with this fact in mind.

I would like to sign my name, but I also don't have much faith in the anonymity system.

FINANCIAL AID DEADLINES: Financial Aid Applications for Summer, 1979 and academic year 1979-1980, are available in the Financial Aid Office Room 100.

#### Deadline Dates

Summer '79	April 19, 1979
Academic Year '79-'80 (Fall '79-Spring '80)	May 4, 1979