Fall 1981

Alumni Forum, Fall 1981

GOLDEN GATE UNIVERSITY · SCHOOL OF LAW · FOUNDED 1901

ALUMNI FORUM

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GGU Site of Wartime Relocation Hearings

By Juliet L. Gee

The United States Commission on Wartime Relocation and Internment of Civilians held public hearings here at Golden Gate University, before a filled auditorium, on August 11 through 13. Witnesses from as far away as Japan were among the 200 persons to testify about the effects that the internment of Japanese-Americans during World War II had on their lives.

Almost forty years have passed since President Roosevelt signed Executive Order 9066 which authorized military commanders and the Western Defense Command to exclude over 120,000 civilians from designated military zones and certain areas of the country. Although the Order did not specify any particular nationality or ethnic group, it was applied almost exclusively to persons of Japanese origin. Under the authority of General Jon DeWitt, Commanding General of the Western Defense Com- nd, all persons of Japanese ancestry in California, ashington, Oregon, and Arizona were ordered to leave their homes, taking with them only what little they could pack and carry.

The Commission on Wartime Relocation and Internment of Civilians was established pursuant to Public Law 96-317. The purpose of the Commission is to gather facts to determine whether any wrong was committed against Japanese-American citizens and permanent resident aliens interned pursuant to Executive Order 9066.

Witness after witness told the Commission how they were forced to leave their homes, businesses, farmlands and personal property. One witness testified about how her family lossed all their savings when their assets were frozen by the U.S. Government. The Commission heard countless testimony about how Japanese-Americans were detained without due process in such places as the horse stables of the Tanforan Race Track until they could be transferred to one of 10 relocation centers in barren areas of Arizona, Arkansas, California, Colorado, Idaho, Utah and Wyoming.

Most witnesses, such as Kinzo Wakayama, urged the commission to recommend monetary reparation for those who sufferred losses as a result of Executive Order 9066. Wakayama, who was born in Hawaii and was a World War I veteran, travelled from his old age home in Japan, to tell the Commission how he was jailed for periods of 72 days and 14 days without due process because he was a Japanese-American. He was forced to renounce his citizenship and was expartriated to Japan where he faced the loss of relatives in the Hiroshima bombing. Wakayama said he wants his citizenship restored. "I still believe I am a good American zen," he said.

Witnesses also testified about the inhumane conditons and psychological trauma they faced at assembly centers and relocation camps. Kinya Noguchi, who was just 14 at the time, told the Commission how his family had to leave their farm and give up a good crop to face cramped living quarters and unsanitary conditions at Tule Lake Relocation Center. Naguchi said "the incarceration affected my life with the constant feeling that people looked at you as a second class citizen." "I feel that words are not enough and that we are entitled to a monetary compensation of $25,000," he said.

Other witnesses told the commission about their experiences after the close of the detention camps in 1946. The released Japanese-Americans spoke of how they found themselves homeless, facing poverty and prejudice. Most had difficulty reconstructing their lives.

Several Japanese-American lobbying groups have asked the Commission to recommend that Congress enact safeguards to prevent such exclussionary acts from ever reoccurring. While the Japanese-American Citizens League has also asked that the Commission recommend monetary reparation, it has not recommended a dollar amount. The National Coalition for Redress and Reparation has recommended $25,000 reparation for each person interned.

Photo by Juliet Gee

Witnesses Testify Before Commission

Among the many items the Commission will consider is whether the U.S. Supreme Court decision in *Korematsu v. U.S.* should be abandoned by Congress and whether the dissent in that case should be written into our laws.

The exclusion of Japanese-Americans survived judicial scrutiny in *Korematsu*. The majority held that pressing public necessity may sometimes justify the existence of restrictions which curtail the civil rights of a single racial group. Justice Jackson in his dissent stated "that a civil court cannot be made to enforce an order which violates constitutinal limitations . . . " Justice Murphy also dissented writing that "the military claim must subject itself to the judicial process of having its reasonableness determined."

The Commission held hearings earlier this year in Washington, D.C. and Los Angeles. It will hold further hearings in Seattle, Anchorage, The Aleutian Islands, and Chicago before making a report of its findings and recommendations to Congress in January. ■

Issues Forum

Fighting Unionization By Modern Methods

By Barbara Rhine

> It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce . . . *by encouraging the practice and procedure of collective bargaining* and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection. National Labor Relations Act Sec. 1, 29 U.S.C. Sec. 151 (1935) (emphasis added).
>
> Unions are formidable adversaries, but their success is not inevitable, and, with the aid of a systematic counter-attack, the chances of maintaining a non-union facility are very good. Cabot & Linn, *What Management Can Do During a Union Organization Campaign,* 22 PRAC. LAWYER (No. 2) 13, 28 (1976).
>
> Keeping on-premise union activity to a minimum will force non-employee organizers to come to the fore. *Id.* at 14.
>
> Since any good faith doubt that the union actually possesses the majority of employees will sustain an employer denial of union recognition, once the union's formal letter is received, your client should simply respond that he does not believe that the union represents a majority of his employees . . . *Id.* at 17.
>
> To the client who thinks unionization is inevitable, the attorney can point out that the voting trend is against unions . . .
>
> Thus, the employer who wishes to operate without a union has an excellent chance of doing so. An attorney is giving sound practical advice when he counsels his client that there is a great likelihood of success in remaining union-free. R. LEWIS & W. KRUPMAN, WINNING NLRB ELECTIONS: MANAGEMENT'S STRATEGY AND PREVENTIVE PROGRAMS (2d ed. 1979).

The first quotation above is a clear statement of Congressional intent to encourage collective bargaining, expressed in the basic statute that governs the formation and maintenance of collective bargaining relationships between employers and unions in the private sector. A full reading of the Findings and Policies of the NLRA, from which this statement is taken, indicates Congress' firm belief that protection of employees' right to bargain collectively benefits interstate commerce, and therefore the country's economy, by lessening industrial strife, encouraging the friendly adjustment of industrial disputes, and restoring equality of bargaining power between employers and employees.

The next series of statements offers a sample of the tone of writings that are emerging from management's new breed of labor consultants. The common premise of all these statements is that unionization is bad for the employer of any given workforce. The fact that employers are fighting unionization is not new, since opposition to unions, often both violent anbd illegal, frequently occurred right after passage of the Warner Act in 1935. What is new is the proliferation of labor relations consultants, often attorneys, who plan systematic anti-union campaigns that operate by subtle subversion of the law that guarantees workers the right to unionize, rather than outright defiance. "Union-busting" is the term widely used within the labor community to characterize the attitudes of these consultants and the employers who hire them.

These labor relations consultants define their task as guiding the employee to maintain a "union-free atmosphere,"[1] to defeat any union that undertakes to organize the workforce, and to rid the workplace of any union that is already established there.[2] The AFL-CIO has estimated that employers now hire outside assistance in 2/3 of all organizing campaigns, with expenditures for these services exceeding $500 million per year.[3]

During the twenty years between 1959 and 1979, the percentage of NLRG-conducted representation elections won by unions declined from 64.5% to 45%.[4] The number of elections held to de-certify unions that were already functioning in the workplace increased from 216 to 777.[5] Also, the number of unfair labor practices filed against employers under the National Labor Relations Act jumped from 8,266 to 29,026.[6] Hard data linking the proliferation of consultant firms specializing in "union-busting" activities to these dramatic statistical trends is lacking, but it is a widely-held belief within the labor community that such a link exists. Certainly the consultants are aware of these same trends,[7] and would like their paying clients to believe that their services can bring about the desired results.

In any event, the "union-busting" firms currently exist in a public climate that increasingly supports their anti-union point of view. A recent Gallup poll indicates that although a majority of Americans still approves of unions, the size of that majority is at its lowest in forty-five years;[8] and union representation has dropped to 23% of the American workforce.[9]

Why is this "union-busting" phenomenon of concern to the legal community? To begin with, many of the firms involved are law firms. Even those consultants who are not lawyers pride themselves on a thorough familiarity with, and ability to manipulate, labor law concepts. The advice given in written form concentrates on how the employer can keep anti-union activities just within the periphery of what is legally allowable. For example, much has been written on how the employer should "predict" the consequences of unionization to employees so that these predictions will not later be designated as threats of reprisal and therefore employer unfair labor practices. While there is nothing technically improper about such advice, since the law itself has developed in these terms, it encourages the employer to locate its activities at the outer legal limits, rather than well within those limits, and therefore maximizes conflict with those workers seeking to unionize.

Oral advice is, of course, mostly unrecorded and unobtainable. One recording of a "union-busting" speech to employers, delivered in 1976 by Fred R. Love, the chairman of the West Coast Industrial Relations Association indicates, however, that at least some of the consultants openly advocate breaking the law. The transcript includes the following suggestions: 1) hire a consultant to guide anti-union campaigns; 2) delay the election "up to a year" by raising "many, many, many issues to force NLRB hearings;[11] 3) delay filing briefs; 4) pad the bargaining unit with pro-management people; 5) fire union supporters for "unrelated" reasons; 6) "massage the workforce" by pretending to listen to their problems; 7) backdate company memoranda so that wage increases appear regularly-scheduled, rather than in response to the union campaign; 8) tell employees that the company could go out of business if the union elected.[10] The same consultant advised that employers "play the peripheries of the law," and observed that if they were caught breaking the law, the "worst thing" that could occur was a second election—"and the employer wins 96% of these.[11]

Contained within this advice is direct encouragement of several unfair labor practices, not to mention perpetration of fraud and deliberate misuse of NLRB procedures. Even assuming that this transcript is an extreme example of the illegitimate nature of "union-busting" activities, it represents a genre of advice that is morally and legally ambiguous, at best.[12]. The use of the law to foster semantic quibbles instead of courses of action based on the integrity of the principles embodied in that law, encourages the public, including workers, in its view of lawyers as sly manipulators of words.

The prediction that not much will happen to employers if they are caught breaking the law is all too often an accurate one. The most superficial knowledge of labor law as it affects union organizing campaigns leads to the conclusion that workers' rights to unionize are hindered by the frequent delay and ultimate ineffectiveness of proceedings before the National Labor Relations Board. Between the amount of time it takes to get answers from the Board, and the fact that remedies for employer unfair labor practices are generally little more than a slap on the hand, organizing campaigns can be easily robbed of their momentum, and often derailed altogether. Clearly "union-busting" activities worsen these enforcement problems, if they don't create them in the first place, and thereby further frustrate the purposes of the National Labor Relations Act.

Possibly the worst result of these consultant activities is that they encourage the employer in one direction only—that of fighting unionization. Enlightened employment practices may dictate the opposite approach—that of responding with cooperation to an employee request for union representation, after ascertaining that the union involved does indeed represent the majority of the workforce. Money that would otherwise go to pay the consultant fees could be the first item put on bargaining table by the employer, even if after that gesture of good faith the same employer finds it necessary to adopt an attitude of hard bargaining over wage demands. Our system's notion of collective bargaining is that it is a relationship based on cooperation, with disagreements over genuinely opposing interests to be settled by the positions of comparative economic strength of the two parties. Such a relationship is more likely to be productive of labor peace and productivity when it begins in an at-

Programs and People

Barbara Childs Heads New Writing and Research Program

By Nancy M. Conway

The Writing and Research program is being revamped at Golden Gate. The person doing it is Barbara Childs. Childs, an attorney and former English professor at Kent State University in Ohio, has been appointed director of the program.

Childs moved to San Francisco in June from Brady Lake, Ohio, where she was director and founder of the county's Legal Services office.

Childs says she never intended to practice law for a living, but rather on a purely voluntary basis. She was prompted to attend law school at night, while continuing to teach Fiction at Kent because there weren't any attorneys volunteering for the A.C.L.U. chapter which she helped form in Kent in 1969.

While in law school Childs noticed fellow students floundering in writing and research because they didn't know how to write. To alleviate that problem for future students she instituted a legal writing program for pre-law students at Kent.

The Writing and Research directorship will bring together the best of both worlds for Childs, teaching writing with her experience as an attorney.

The subject matter of the assignments has been geared to correspond with first year courses. This semesters assignments culminate in a research memo and by the end of the second semester students will write an appellate brief. Students should be well prepared by the end of their first year to work as law clerks.

In addition to the Writing and Research program, Childs will be teaching a legal drafting course for upper-division students. ■

New Academic Assistance Program

By Nancy M. Conway

A tutorial program is being instituted at the law school this fall and Howard Porter has been hired as the director. Porter previously headed up a tutorial program at the University of Iowa's Law School, his alma mater. Porter recently arrived in San Francisco from Washington, D.C. where he acted as Associate Chief Counsel for the U.S. Senate Judiciary's Subcommittee to Investigate Juvenile delinquency. Porter's experiences include directing the Legal Aid office in Davenport, Iowa and being assistant dean at the University of Iowa Law School.

Porter says he will select a maximum of five tutors on the basis of a combination of factors including academic ability, previous teaching experience, ability to communicate and sensitivity.

The program, designed to serve 40 people, will focus on first year students. Due to the limited number of slots in the program there will be a selection process based on writing and research program recommendations.

Emphasis will be on basic skills of organization and analysis. Tutors will work with students to identify weak points in a student's past preparation which might impact on present legal studies. They will teach students how to deal with the mass of material and develop test taking skills necessary to a law schol exam, including how to handle a complex fact situation, articulate an issue, arrive at a conclusion, and develop cohesive and persuasive arguments. ■

Issues Forum *(Continued)*

mosphere of determination to uphold the basic principles of the law, rather than in an aftermath of rancor caused by a divisive and bitterly-contested election.

One of the most troublesome aspects of "union-busting" consultant activities is the existence of unknown amounts of public funding that supports them. These expenditures of taxpayers' money are hidden in places like government contracts that include reimbursement clauses for anti-union costs incurred by private employers. The Defense Department's practice is to permit reimbursement of contractors for expenses and liabilities incurred in suits that federal agencies bring against them, which may include unfair labor practices brought by the NLRB. Local Chamber of Commerce chapters receive public funds to "promote industrial development," which may include the luring of only non-union business in town, or the surveillance of local union activities.[13]

Possible remedies exist for the most flagrant abuses contained in "union-busting" activities. Coming years will see attempts to use more effectively reporting requirements for labor consultants that already exist in the Labor-Management Reporting and Disclosure Act of 11959. Other possibilities include invocation of the remedial powers of the NLRB, bar disciplinary proceedings where appropriate, and legal and political challenges to public funding of such activities. In the meantime, the prevalence of "union-busting" and its egregious nature, indicate that the attitudes of the management community have changed little since the 1930's. Battles fought with attache cases can be at least as costly and enraging as those fought with brass knuckles in terms of smoothly-functioning labor relations.

Lane Kirkland, the President of the AFL-CIO, has suggested that in America the employers rather than the workers appear to be the most active champions of class welfare.[14] The management attitude encapsulated in "union-busting" activities seems to bear out this analysis. Thoughtful students of labor relations must ask themselves what the point is of engaging in this form of warfare instead of getting down to the task of bargaining with workers.

FOOTNOTES

[1]See the table of contents of R. LEWIS & W. KRUPMAN, WINNNING NLRB ELECTIONS: MANAGEMENT'S STRATEGY AND PREVENTIVE PROGRAMS (2d ed. 1979) for chapter titles such as "Counseling the Union-Free Employer," and "How the Union-Free Employer Communicates."

[2]See Krupman & Rasin, *De-Certification: Removing the Shroud,* 30 LABOR L. J. 231 (1979).

[3]Bernstein, *Union-Busting: From Benign Neglect to Malignant Growth,* 14 DAVIS L. REV. 1, 4 (1980), quoting figures given by Robert A. Georgine, President, Building and Construction Trades Dept., AFL-CIO, at oversight hearings in 1979 before the House Subcommittee on Labor-Management Relations of the House Committee on Education and Labor. Mr. Georgine also estimated that over 1,000 firms offer labor consulting services of some kind, with 1,500 individuals engaged in that practice full-time.

[4]*Id.* at 41 n. 168, quoting figures taken from the relevant annual reports of the NLRB.

[5]*Id.*, n. 169.

[6]*Id.* at 35, n. 141.

[7]*See, e.g.*, R. LEWIS & W. KRUPMAN, *Supra* note 1, at 5-6.

[8]San Francisco Chronicle, September 18, 1981, at 8, col. 1.

[9]R. LEWIS & W. KRUPMAN, *supra* note 1, at 6, quoting from statistics compiled by the U.S. Dept. of Labor, Bureau of Labor Statistics.

[10]Bernstein, *supra* note 3, at 44 n. 178.

[11]*Id.*

[12]The Labor-Management Reporting and Disclosure Act of 1959 requires certain labor consultant activities to be reported to the U.S. Department of Labor. A survey taken among management attorneys has indicated a level of unawareness and non-compliance with this law that can onlyh be described as shocking. Of the 164 respondents, 106 acknowledged the performance of some reportable activity within the relevant time frame. *Only three* of these 106 ever filed the required reports with the Department of Labor. Twenty of the non-filing respondents admitted knowledge of the reporting requirements; another eighteen were uncertain as to their reporting duty; and the remaining sixty-five were simply ignorant of the legal rules applicable to this area. Craver, *the Application of the LMRDA "Labor Consultant" Reporting Requirements to Management Attorneys: Benign Neglect Personified,* 73 NORTHWESTERN UNIVERSITY L. REV. 605, 625-26 (1978).

[13]See Bernstein, *supra* note 3, at 72-77, for a fuller discussion of these and other aspects of this problem.

[14]*Id.* at 77, referring to a speech given by Lane Kirkland in 1978 on the subject of "Work in America: The Decade Ahead."

Faculty Updates

Neil Levy has accepted the position of Acting Dean of the Law ool. Levy is the editor of the *California Tort Reporter* and until this year has been a Professor of Law at GGU.

Arnold Sternberg had a busy summer. In May, he attended a conference for teachers of natural resources law sponsored by the University of Colorado Law School and Rocky Mountains Mineral Law Foundation. In July, Sternberg attended a meeting of Housing Assistance Council, Inc., a non-profit corporation operating a multi-million dollar revolving loan fund for rural community housing. Arnold is a member of its Board of Directors and of its loan committee. Professor Sternberg was recently a keynote speaker for California Legal Services statewide housing training session speaking on "California Housing Policy in the 1980's." In September, he was a keynote speaker for National Rural Housing Coalition regional meeting. He spoke about "Expanding Rural Housing Credit Opportunties." Sternberg also spoke at the National Urban League Annual Meeting on "Residential Displacement, Causes and Cures." He continues to be a consultant with Public Advocates, Public Pension Fund Investment Policies Study and a principal researcher for the State of California, Department of Real Estate sponsored research contract. His future plans include speaking at Santa Clara County Housing Coalition on "Innovative Housing Finance for Low-Income Persons and Families." Professor Sternberg will again be organizing the National Land Use Conference to be held at Golden Gate University later this year.

Marc Stickgold served on the Special Assessment Team of the Committee of Bar Examiners of the State Bar of California to evaluate the clinical skills training portion of the bar examination given last year. He will also be one of the participants in the Conference of California Clinical Legal Educators to be held in Oc-ber. Professor Stickgold will address the conference regarding l work placements as a tool for clinical education.

Les Minkus has been appointed by the president of the Bar Association of San Francisco to a Special Committee to Study and Report on the ABA's Proposed Code of Professional Responsibility.

Susan Foote was a moderator/resource person for the National Consumer Awareness and Access Project of the Food and Drug Administration which met in San Francisco on August 5. She is also on the consumer advisory panel for Pacific Telephone Company. Foote continues to consult for the Legal Aid Society of San Francisco on women's health issues.

Barbara Rhine spent her summer preparing written testimony on "Worker's Right to Know the Nature of Hazardous Materials They're Working With," before CAL/OSHA Standards Review Board. Rhine is currently preparing written and oral testimony on PCB's standard for worker exposure, also before CAL/OSHA, on behalf of the Bay Area Committee on Occupational Safety and Health Legal Committee. Rhine plans a busy fall, teaching Torts for the first time and preparing an expanded labor law clinic for the Spring Semester.

Lawrence Jones traveled to Madison, Wisconsin this summer to attend a conference sponsored by A.A.L.S., entitled "Teaching Contract Law."

Another summer traveler, *Bob Calhoun*, just returned from a trip to Peru, Ecuador, Columbia and Mexico with stops in the Galapagos Islands, Machu Picchu and The Amazon Jungle.

Janice Kosel taught Commercial Law at the University of San Diego this summer. She has also published "Running the Gauntlet of 'Undue Hardship'—the Discharge of Student Loans in Bankruptcy," in the Spring 1981 issue of Golden Gate Law iew.

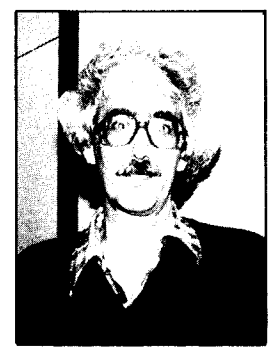
A busy speaker, *Myron Moskovitz*, appeared on several television and radio programs this summer. He spoke at the U.C. Housing Officers Conference, the Laney College conference on housing and at the Berkeley-Albany Bar Association meeting. Moskovitz ran two training sessions for Municipal Court judges in San Francisco on landlord-tenant law. He continues to serve as a consultant to the State Judicial Council on new mandato-forms of unlawful detainer cases as well as serving on the St Bar's Real Property Section, Committee on Legislation.

Thomas Goetzl was an active speaker this fall, making appearances on television, speaking on "The Legal Rights of Artist."

Nancy Carol Carter attended the American Association of Law Libraries annual meeting in June. Professor Carter was elected to the National Advisory Board of the Law Library Microform Consortium at the Washington, D.C. meeting. In September she was the law librarian member of a Western Association of Schools and Colleges accrediation inspection team visiting Western State College of Law in San Diego.

Charlotte Fishman attended the National Immigration and Refugee Consultation in Washington, D.C. and a Conference on Federal Court Litigation for Immigration Cases in Los Angeles. Visiting Clinical Professor Fishman also tried *Deans and Directors v. California Board of Registered Nursing,* a civil rights case involving extention of interim permits to nursing graduates who took the February 1981 licensure examination. Fishman also testified before the California Board of Registered Nursing in support of regulatory changes extended interim permits to 24 months. ■

Marc Stickgold Awarded Sabbatical



Professor Marc Stickgold has been awarded a sabbatical for the spri 1982, semester, to conduct a natio wide study of clinical field work placement programs. Clinical training, a significant component of legal education since the late 1960's, has developed along two models. The first model, fully in-house clinics staffed by full time law school faculty, provides the most controlled experience. This model has been the beneficiary of large amounts of outside funding by both the Ford Foundation and the Department of Education. The second model, characterized by the placement of law students in actual law offices and agencies in the community, with work supervised by staff attorneys in those offices, has received much less attention, both in terms of financing and scholarly inquiry.

Professor Stickgold will focus his study on this second model of clinical training. "It has been ignored too long," he said. "Every A.B.A. accredited law school in California, for example, has such a program in some form, but they are almost invisible. I hope to bring them into the light." The study will consist of a national survey of all A.B.A. accredited law schools; an in-depth inquiry into the 16 approved California schools through an on-site visit to each school; an analysis of the use of field placement programs in other areas of professional training, such as social work; and an attempted analysis of which areas of the law, and which lawyering skills, most lend themselves to the placement model.

"We will be exploring ways to integrate these field placements more into the main curriculum of the law school. What works? What doesn't? How can we improve the supervisory relationsh There are many exciting questions to explore. What we hav learned from fifteen years of developing extensive in-house clinical programs and simulated skills training that will allow us to improve, strengthen and tighten these field placements?" Professor Stickgold hopes that this study will be the beginning of more law school attention to these questions. ■

Alumni Notes

1972

August B. Rothschild, Jr. has been elected to the Board of Directors of the Bar Association of San Francisco. He has been a delegate from that organization at the State Bar Convention for the past eight years. Previously he served a three year term as a Commissioner on the San Francisco Commission on the Status of Women and a one year term on the Board of Directors of the San Francisco chapter of the ACLU.

1972

Philip M. Pro has been appointed as United States Magistrate for the District of Nevada at Las Vegas. Previously he was a partner of the w firm of Semenza, Murphy and Pro in Reno, Nevada.

1975

David Vogelstein and *Randall Berning* ('76) are now associated with *Sidney J. Hymes* ('76).

1976

Elaine Andrews has been appointed Alaska District Court judge.

1977

Marjorie M. Holmes is now associated with Reuben, Quint and Walkevich. She is also serving as president of California Woman Lawyers.

1978

Dianne G. Estrin has joined the Law Department of The Gap Stores.

1979

Constance A. Bastian is now with State of Alaska Department of Labor, Worker's Compensation Division.

1980

Elliot R. Smith, a former editor of the *Alumni Forum,* announces the opening of his law office in Berkeley. He is engaged in general civil practice.

'81

Nancy M. Lashnits, former editor of the *Alumni Forum,* has been with the Ninth Circuit Court of Appeal staff attorneys. ■

Alumnus Appointed Alaska District Court Judge

Elaine Andrews, class of 1975, has recently been appointed District Court Judge in Alaska, reports *The Alaska Bar Rag.*

A native San Franciscan, Andrews chose to attend Golden Gate University Law School because of its active recruitment of women.

Andrews' law school career was a busy one. She was Associate Editor of the Law Review and a teaching assistant for the Appellate Advocacy class. She was also a Writing and Research tutor. Before her trek to Alaska, Elaine attended class in Mexico on Immigration Law.

In the summer of 1976, Andrews visited Alaska and decided to apply for a job there. She returned to California where she took the Bar exam. Still desiring to return to Alaska, she was referred by Professor Segal to the Judicial Council in Anchorage, where Elaine was hired.

Andrews took the Alaska Bar in February 1977 and later assumed a position as a Public Defender. Two years later, Andrews entered private practice with the firm of Ruskin, Barker and Hicks, where she practiced general commercial litigation before being appointed to her present position as District Court Judge. ■

Law Library Update . .

Golden Gate University Law Library has more than doubled in size since 1976. During the last academic year, over 10,000 volumes were added to the collection. Presently the collection contains over 155,000 volumes.

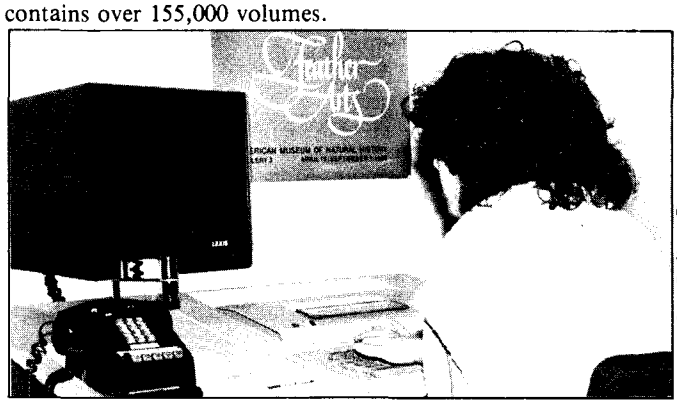


Photo by Juliet Gee

Lexis

Lexis, a computer researcher system, has been installed in the Law Library. Under the special law school contract, Lexis can be used only by currently enrolled students and members of the faculty. However, alumni are invited to contact the law library for a demonstration of the computerized legal research.

A membership plan for law library users not affiliated with the university is being instituted this fall. The plan is aimed at keeping materials more available to students and faculty and at making it economically feasible to continue services to outside users. Some changes in alumni law library access are also planned. Further information on both the membership plan and new alumni borrowing policies are available from the law library. ■

White House *(Continued from Page 6)*

to withhold funds in cases of misuse. Federal agencies, however, will no longer direct state spending of funds. The rational for this state control is that the states have knowledge of local needs which cannot be matched in Washington.

The theory is that Block Grants will be more economically efficient when states run their own programs. Advocates of Block Grants believe that under state control, previous duplication of services by categorical programs will be eliminated so that services will be delivered at the lower cost and lead to an efficient use of tax dollars.

After fiscal year 1982, public reports and legislative hearing will be held at the state level for most Block Grants. Theoretically this will place spending and program control closer to the citizens being served in the individual states. ■

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White House Block Grant Meeting at GGU

By Juliet L. Gee

Golden Gate University was the site of the White House Intergovernmental Block Grant Implementation Meeting on September 18.

Officials from Health and Human Services, Housing and Urban Development, Office of Management and Budget, and the Department of Education conducted the day long meeting and workshops concerning the implementation and administration of Block Grants.

On August 13, President Reagan signed into law sweeping new legislation aimed at reducing federal expenditure. Block Grants are a major part of the legislative reform. The legislation will change the way tax dollars are spent, eliminating overlaps and overregulation in federal programs. For example, one such proposed change effecting Health and Human Services, is where there had previously been 25 separately run spending programs, each with their own set of federal regulations, there will now be seven Block Grant programs to the states.

Federal officials presented an overview of the Block Grants and conducted various sessions throughout the day on specific Block Grants. They covered such issues as the application, process, timing of Block Grants, reporting requirements and regulatory content.

According to federal officials of Health and Human Services, the purpose of the Block Grants is "to achieve greater flexibility in the use of funds, meaning more efficient use of tax dollars and more cost-effective service to recipients."

Federalism and duplication of services resulted from growth of categorical grant programs. Each program has its own set of federal regulations and reporting requirements. Many of these programs had become duplicative and embodied in bureaucratic red tape. Additionally, according to Health and Human Services official, "the categorical programs could not be sufficiently responsive to local needs of each state.

Photo by Juliet Gee

OMB Block Grant Session

The Block Grants promises to allow the states to spend grant monies to meet their own special needs. The grant program is suppose to reduce federal regulations and reporting requirements to the minimum necessary to assure that the broad purposes of the Block Grants are being observed and that states spend funds only for purposes intended by the law.

States will still be required to comply with federal laws, such as the nondiscrimination provisions of the Civil Rights Act of 1964 and the Rehabilitation Act of 1973. Federal agencies will still retain some administrative control of the grants including power

(Continued on Page 5)

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